

URBAN MUNICIPAL

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1997

MINUTES

HAMILTON CITY
COUNCIL

JAN. 28, 1997 ...

1997 January 28

Minutes of Hamilton City Council

Tuesday, 1997 January 28

7:30 o'clock p.m.

Council Chamber, City Hall

URBAN MUNICIPAL

FEB 9 1997

The Council met:

Present: Mayor Morrow.

Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

GOVERNMENT DOCUMENTS

Mayor Morrow called the meeting to order.

The National Anthem was played.

Reverend Tony Ouwehand, Zion United Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 December 10 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow recognized Franco Oddi, Mayor of Pettorano sul Gizio, Aquila and Salvatore DiVenezia, Italian Vice Consul.

Mayor R. Morrow presented a City of Hamilton ring to Dominic Agostino, M.P.P. who served on Hamilton City Council for the years 1988 to June, 1995.

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Mayor R. Morrow was presented with a Silver Trowel from Mr. Hugh McNight which was used in the laying of the corner stone of the Mountain Hospital.

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Mr. Mike Szelag of Race Canada presented to Mayor Morrow the 150th Anniversary Declaration.

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A Certificate of Recognition was presented to the Ferguson Avenue Revitalization Project Committee. In attendance was Hal Costie, Joseph Macaluso, Jim Drake, Agostino Ammendolia, Fred Muylaert, Mary Pocius, Lou Ulbinas, Pat Bramwell, Peter Pasalic and Eric Campbell.

CORRESPONDENCE

1. Letter dated 1996 December 19 from R. C. Prowse, Regional Clerk for the Regional Municipality of Hamilton-Wentworth respecting Government Restructuring.

Referred to the Finance and Administration Committee

2. Application dated 1997 January 3 from 822827 Ontario Inc., c/o A. DiSilvestro, 1 James Street South, Hamilton, Ontario for lands located on the north-west corner of Emperor Drive and Upper Wentworth Street, Hamilton, Ontario.

Received

3. Application dated 1997 January 13 from Taba Developments Ltd., 1405 Upper Ottawa Street, Unit 10, Hamilton, Ontario for a change in zoning from "M-12" (Prestige Industrial) District modified to "M-11" (Prestige Industrial) District for 1423-1447 Upper Ottawa Street, Hamilton, Ontario.

Received

4. Application dated 1997 January 15 from Vedemo Construction Limited, 155 Market Street, Hamilton, Ontario for a change in zoning from "RT-20" (Townhouse-Maisonette) District to "DE'2" (Multiple Dwellings) District for 240 Bow Valley Drive, Hamilton, Ontario.

Received

5. Application dated 1997 January 20 from Rosart Properties, 225 South Service Road East, Oakville, Ontario for a modification to the "G-1" (Designed Shopping Centre) District for 310 Limeridge Road West, Hamilton, Ontario.

Received

6. Application dated 1997 January 20 from Gus and Mike Holdings Ltd., 271 Limekiln Road, Ancaster, Ontario for removal of the "H" - Holding Provision for property at Chesley Street and Annabelle Street, Hamilton, Ontario.

Received

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Bingo Hall Review Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

PARKS AND RECREATION COMMITTEE - FIRST REPORT

Section 2 Re: Conflict of Interest - International Children's Games Hamilton Inc.

Alderman T. Anderson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Anderson has a family member who is involved as a volunteer with the organization.

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Section 2 Re: International Children's Games Hamilton Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - FIRST REPORT

Section 1 Re: City Initiative CI-96-K respecting 8-10 Brantdale Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

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Section 4 Re: 261 Cranbrook Drive - OHRPD

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 4 of the First Report for 1997 of the Planning and Development Committee be referred back.

CARRIED.

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Section 6 Re: Sesquicentennial Banners - BIA

It was moved by Alderman D'Amico and seconded by Alderman Drury that Section 6 of the First Report for 1997 of the Planning and Development Committee be referred back.

CARRIED.

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**Section 10(a) & (b) Re: Street Festival Component - 1997 Barton Street
Redevelopment Program**

It was moved by Alderman Drury and seconded by Alderman Morelli that Sections 10 (a) and (b) of the FIRST Report of the Planning and Development Committee for 1997 be amended to reflect that the \$40,000 budgets are Provincial allocations.

CARRIED.

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Section 18 Re: Conflict of Interest - O.M.B. Hearing - 85 Mountain Avenue

Alderman M. Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan's property is adjacent to the subject matter.

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Rule No. 9 Re: Hamilton Harbour Hearing

It was moved by Alderman Charters and seconded by Alderman Wilson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a motion respecting the Hamilton Harbour Hearing.

CARRIED.

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Section 24 Re: Hamilton Harbour Hearing

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 24 of the First Report for 1997 of the Planning and Development Committee:

24. (a) That City Council authorize Mayor Morrow, Alderman Charters and Alderman Drury to attend with Counsel to the City at mediation meetings with respect to the Hamilton Harbour Hearing to be conducted by Vice Chair Owen of the Ontario Municipal Board; and,
- (b) That City Council request the Hamilton Harbour Commissioners to consent to an adjournment of the Hamilton Harbour Ontario Municipal Board Hearing pending the outcome of the mediation meetings conducted by Vice Chair Owen.
- CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FIRST REPORT
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Section 15 Re: Reclassification of Building Commissioner's position

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15

NAYS: Aldermen Caplan, D'Amico -2.

CARRIED.

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Section 27 Re: Diamond Jubilee Conference of the FCM - Ottawa/Carleton

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

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Rule No. 9 Re: National Public Education Campaign "Drink Smart Canada"

It was moved by Mayor Morrow and seconded by Alderman Ross that Rule No. 9 of Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the National Public Education Campaign called "Drink Smart Canada". **CARRIED.**

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Section 29 Re: "Drink Smart Canada"

It was moved by Mayor Morrow and seconded by Alderman Ross that the following be added as Section 29 of the First Report for 1997 of the Finance and Administration Committee:

29. That the City of Hamilton support the National Public Education Campaign called "Drink Smart Canada" and its initiative of addressing the serious social problem of the misuse of alcohol. **CARRIED.**

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Rule No. 9 Re: Hamilton Harbour Commission - City's appointee

It was moved by Alderman Ross and seconded by Alderman D'Amico the Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a motion respecting the term of office for the City's appointee to the Hamilton Harbour Commission. **CARRIED.**

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Section 30 Re: Hamilton Harbour Commission

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 30 of the FIRST Report for 1997 of the Finance and Administration Committee:

30. That the Finance and Administration Committee be requested to review the relative merits of extending the current term of office of the City's appointee to the Hamilton Harbour Commission until December 1, 1997 in order that the term of this appointee is consistent with the term of office of members of City Council. **CARRIED.**

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Section 31 Re: Conflict of Interest - Work Place Accident - Dofasco

Alderman B. Morelli declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Morelli was a former employee of Dofasco.

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Rule No. 9 - Work Place Accident - Dofasco

It was moved by Alderman Wilson and seconded by Alderman Charters that Rule No. 9 of City of Hamilton Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to consider a resolution respecting a work place accident at Dofasco.

CARRIED.

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Section 31 Re: Work Place Accident - Dofasco

It was moved by Alderman Wilson and seconded by Alderman Charters that the following be added as Section 31 of the First Report of the Finance and Administration Committee:

31. That the Council of the City of Hamilton request that an inquest be held into the recent deaths of two workers in a confined space at Dofasco. That this request be made of the appropriate provincial authorities.

CARRIED.

RESOLUTION FROM PREVIOUS FINANCE & ADMINISTRATION COMM.

Section 14 (c) Re: Part Lot Control Application 96-03 - Time Period

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 14(c) of the Eighteenth Report for 1996 of the Finance and Administration Committee approved by City Council on 1996 December 10th which reads as follows be reconsidered:

"That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049, in order that action may be taken to dispose of same:

- (c) 1 Spruceside Avenue"

CARRIED.

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It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 14(c) of the Eighteenth Report for 1996 of the Finance and Administration Committee approved by City Council on 1996 December 10th respecting the property at 1 Spruceside Avenue be referred to the Parks and Recreation Committee. **CARRIED.**

BINGO HALL REVIEW COMMITTEE - FIRST REPORT

Section 1 Re: Relocation Application of Cameron & Johnstone Ltd. - Delta Bingo Hall from 1124 Main Street East to 43 King Street East

It was moved by Alderman Wilson and seconded by Alderman Drury that Section 1 of the First Report of the Bingo Hall Review Committee be amended to add sub-section (c) as follows:

- (c) That approval be subject to design controls on the exterior of the building in order to be compatible with surrounding businesses in the downtown core.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15

NAYS: Aldermen Copps, D'Amico. -2.

CARRIED.

NOMINATING COMMITTEE - FIRST REPORT

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1997

It was moved by Alderman Caplan and seconded by Alderman Kiss that Alderman V. J. Agro be appointed Acting Mayor for the month of February, 1997. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Bingo Hall Review Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:35 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 January 28
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the appropriate by-law be enacted to stop-up, close and sell the subject land being described as that portion of Upper Horning Road from Omni Boulevard to Upper Horning Road designated as Parts 2, 3, 4, 5 and 6 on Plan 62R-14003, and part of the original road allowance between Lots 54 and 55, Concession 3 in the geographic Township of Ancaster designated as Part 1 on Plan 62R-14003.
2.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Hughson Street North commencing at a point 323 feet north of Robert Street and extending to a point 24 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Arthur Taylor, No. 226 Hughson Street North.
3. That the existing "Permit Parking" regulation on the west side of Balsam Avenue South commencing at a point 189 feet north of Afton Avenue and extending to a point 16 feet northerly therefrom, and on the east side of Balsam Avenue South commencing at a point 174 feet north of Afton Avenue and extending to a point 19 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing "Alternate Side Parking" regulation on Daytona Drive between the south side of Delmar Drive and the northerly end be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
5. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on both sides of West 32nd Street, north of Bendamere Avenue, be extended to Leslie Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

6. That the existing "Permit Parking" regulation on the north side of Rebecca Street commencing at a point 84 feet west of Cathcart Street and extending to a point 19 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
7. That the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation on both sides of Picton Street West between Bay Street North and MacNab Street North be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
8.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Beechwood Avenue commencing at a point 164 feet west of Lottridge Street and extending to a point 20 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Angelic Lymberopoulos, No. 103 Beechwood Avenue.
9.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Ruth Street commencing at a point 89 feet south of Case Street and extending to a point 21 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. James Fitzgibbon, No. 14 Ruth Street.
10. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, five Time Limit Exemption Permits to each of the first five eligible applicants residing in the apartment building at No. 146 Locke Street South.
11. That all-way stop control be implemented at the intersection of Carson Drive and Landron Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
12.
 - (a) That all-way stop control be implemented at the intersection of Walnut Avenue and Forest Avenue; and,

- (b) That all-way stop control be implemented at the intersection of Ferguson Avenue South and Forest Avenue; and,
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

13. That a "Wheelchair Loading Zone, 8:00 a.m. to 8:00 p.m., Seven Days a Week" regulation be implemented on the east side of Emerald Street North commencing at a point 216 feet north of Barton Street East and extending to a point 32 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

14. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be installed:

Route No. 22 Upper Ottawa

Add - Eastbound - Harlowe Road, south side, 346 feet west of the centre line of Pritchard Road (M/B); and,

Route No. 33 Sanatorium

Add - Northbound - Goulding Avenue, east side, 30 feet south of the south curb line of San Greco Drive (N/S); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That the following City land be incorporated into the following streets:

Carson Drive	Block CX	Plan M-89
	Parts 2, 5, 12,	
	14 and 15	Plan 62R-12439
Paris Avenue	Block 13	Plan 62M-706
Kingsberry Street	Block 34	Plan 62M-461
	Part 10	Plan 62R-12439
	Part 1	Plan 170971LT
Palace Boulevard	Part 8	Plan 62R-12349
	Part 1, 2, and 3	Plan 263314LT
Dicenzo Drive	Part 3	Plan 62R-10945

- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by City Council; and,
 - (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.
16. That City Council receive the following information:
- That the Transport and Environment Committee at its meeting held 1997 January 20 appointed Danielle Marchese to serve on the Keep Hamilton Clean Committee for a term to expire 1999 December 31 and Frank Westaway to serve on the Keep Hamilton Clean Committee for a term to expire 1998 December 31.
17. That Section 32 of the Fourteenth Report of the Transport and Environment Committee for 1993 approved by Council on 1993 November 9, respecting the issuance of a purchase order to Harm Schilthuis and Sons Limited for the construction of a reinforced concrete liner for Red Hill Creek, east of Quigley Road and north of Greenhill Avenue be rescinded.
18. (a) That the City acquire at an estimated cost of \$55,000 for highway purposes from Canada Lands Company Limited a parcel of land that has been leased to the City by Canadian National Railways since 1917 for the portion of Ferguson Avenue South between King Street and Main Street; and,
- (b) That the Director of Property be authorized and directed to negotiate the said purchase from Canada Lands Company Limited for recommendation to Council; and,
- (c) That the Finance and Administration Committee be requested to recommend a method of financing the proposed purchase.
19. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

<u>Item</u>	<u>Maximum Charge per Metre of Frontage</u>	
	<u>Existing 1996</u>	<u>Proposed 1997</u>
(i) Curb Only	\$ 79.00	\$ 63.00

(ii)	Sidewalks Only	\$101.00	\$ 98.00
(iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$151.00	\$135.00
(iv)	Roadway Only	\$260.00	\$245.00
(v)	Alleys	\$107.00	\$111.00
(vi)	Roadway and Curbs only (Industrial Subdivisions)	\$349.00	\$329.00

(b) That the Local Improvement By-law be amended accordingly.

20. That the following Bills be adopted, signed and sealed and enrolled as By-laws:

- (a) A-1 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-2 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-3 A By-law to Stop-up, Close and Sell that Portion of Upper Horning Road from Omni Boulevard to Upper Horning Road, Designated as Parts 2, 3, 4, 5 and 6 on Plan 62R-14003, and that Portion of the Original Road Allowance between Lots 54 and 55, Concession 3 in the Geographic Township of Ancaster Designated as Part 1 on Plan 62R-14003
- (d) A-4 A By-law to Incorporate City Land Designated as Block CX, Plan M-89, and Parts 2, 5, 12, 14 and 15 on Plan 62R-12439 into Carson Drive
- (e) A-5 A By-law to Incorporate City Land Designated as Block 13, on Plan 62M-706 into Paris Avenue
- (f) A-6 A By-law to Incorporate City Land Designated as Part 10 on Plan 62R-12439, Block 34 on Plan 62M-461 and Part 1 on Plan 170971 L.T. into Kingsberry Street
- (g) A-7 A By-law to Incorporate City Land Designated as Part 8 on Plan 62R-12349 and Parts 1, 2 and 3 on Plan 263314 L.T. into Palace Boulevard

- (h) A-8 A By-law to Incorporate City Land Designated as Part 3, on Plan 62R-10945 into Diconzo Drive

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

1997 January 20th

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the Director, Culture and Recreation Department, be authorized to apply for a federal grant from the Museum Assistance Program, Department of Canadian Heritage, to request funding assistance towards the purchase of disaster preparedness supplies and equipment for the five City of Hamilton Museums.
2.
 - (a) That Council recognize International Children's Games Hamilton Inc. as a bona fide private not for profit community organization responsible for Hamilton's participation in the International Children's Games; and,
 - (b) That Council approve grant funding in the amount of \$21,505 to International Children's Games Hamilton Inc. for the purpose of paying for transportation and associated costs to send up to sixteen (16) young City of Hamilton athletes to the 1997 International Children's Games in Sparta, Greece, 1997 June 11 to June 17; and,
 - (c) That these funds be charged to Account No. CH55201 78211; and,
 - (d) That International Children's Games Hamilton Inc. accept responsibility for any financial shortfall associated with the delegation's participation in the Games.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

3.
 - (a) That pursuant to the approved plan for use of " Glen Manor - The Veever's Home", the Director of Property be authorized to finalize a one year lease with Mr. N. M. Tomlinson, effective 1997 February 1, in a form satisfactory to the City Solicitor; and,
 - (b) That the lease provide for the tenant to be responsible for all utility costs, day to day personal living expenses and content insurance for any personal belongings and/or household effects brought into the residence during the lease period; and,
 - (c) That in lieu of payment of rental charges fixed at \$1,500 per month and annual property taxes totalling \$6,775 for 1996, Mr. Tomlinson will undertake to complete a project on behalf of the Parks Division as detailed in the Terms of Reference attached hereto as Appendix "A"; and,
 - (d) That a Consultant's contract for services be entered into by the City with Mr. N. M. Tomlinson to provide the services to the City referred to above, in return for the City's provision of the said rent-free accommodation. The subject contract shall be in a form satisfactory to the City Solicitor.
4.
 - (a) That increases in user fees for youth sports organizations as recommended by Parks and Recreation Committee at its meeting of 1996 December 9 for consideration by Committee of the Whole during the 1997 current budget process be frozen for one year; and,
 - (b) That a target subsidy rate of 70% of full costs be approved, in principle, and that the Director of Culture and Recreation be authorized to meet with youth sport organizations for the purposes of establishing an implementation plan for achieving this subsidy rate; and,
 - (c) That the Director of Culture and Recreation be authorized to bring forward a draft policy and guidelines that clarifies the working relationship between the City and community sports organizations and criteria for eligibility for City subsidy for consideration of the Parks and Recreation Committee at its February meeting.
5. That the City Solicitor be authorized to amend the contract between the City of Hamilton and JA Enterprises of Dundas, the operator of the concessions at Chedoke Civic Golf Courses as follows:

- (a) the annual amount payable to the City of Hamilton for the concession rights be reduced from \$21,000 to \$18,000; and,
 - (b) the City of Hamilton to assume 100% of the energy costs associated with the golf clubhouse.
6. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- B-1 A By-law to Amend By-law No. 92-216 respecting the Construction of T. B. McQueston Community Park on Upper Wentworth

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1997 January 21

**Appendix "A" as referred to in
Section 3 of the FIRST Report
of the Parks and Recreation
Committee for 1997**

**CONSULTING SERVICES TO ESTABLISH A PROGRAM FOR NATURALIZATION
AND ECOLOGICAL RESTORATION WITH THE CITY OF HAMILTON**

TERMS OF REFERENCE

I. INTRODUCTION

Within the City of Hamilton there are significant natural areas in public ownership that are important for a variety of environmental reasons including biodiversity, natural wildlife habitat, microclimatic and hydrological functions. These diverse natural areas are found along the Niagara Escarpment, in the Redhill Creek and Chedoke Creek valleys and areas on the harbour and Lake Ontario shoreline. Specific natural areas such as the Niagara Escarpment, have received most of the attention with regard to land use policy and development control, factors which are consistent with the Region of Hamilton-Wentworth's status as a Model Sustainable Community. While public ownership, policy statements in Official Plans and regulatory controls are highly regarded components of effective greenlands strategies, management practices associated with natural areas require increasing attention if these "ribbons of green" are to sustain healthy communities of plant and animal species.

Since 1993, the Region's work on the Greenlands project has been substantial, with regard to mapping and documentation of restoration priorities. However, there is considerable work left to do in terms of evaluating sites where desired landscape features have become degraded or non-existent. These landscapes could be restored through natural processes, active intervention or some combination of the two. The proposed work program addresses this outstanding concern.

Using the Region's base mapping and inventory data combined with field work on soil and site conditions, seed source supply, indigenous plants, etc. the project will conclude with recommendations on restoration work(s), funding requirements, time implications and opportunities for public/private partnerships to assist in implementation. This project represents an important step toward ensuring the health and integrity of our City's natural resources.

II. BACKGROUND

City Council approved a list of recommendations in June 1995 pertaining to the Veever's Estate including a plan for the long term use of the property.

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Following Council's direction, staff commenced a modest campaign in search of qualified candidate(s) for the purpose of selecting a tenant (hereafter referred to as consultant) who would occupy the estate under the terms of the approved plan.

In lieu of paying the monthly rental rate of \$1,500. plus taxes totalling \$24,775.00 for the one year lease period, the consultant will be responsible for undertaking a work program designed to equal the value of the rent plus taxes. This unique arrangement and subsequent arrangements like it will enable the City, through its Parks Division, to annually access the expertise of individuals in the horticultural/historical fields on a consultative basis when budgetary constraints may dictate otherwise.

The work program addresses the expectation of the City to play an active role toward the implementation of a Regional Greenlands System. The goals of Vision 2020 adopted by the Region in 1993 explicitly support the conservation of biological diversity through various mechanisms including,

....a system of interconnecting protected natural areas which provides for the growth and development of natural flora and fauna and, where appropriate, provides access for all citizens of Hamilton-Wentworth.

City of Hamilton Parks Division staff will be involved in working with the consultant toward the completion of the defined work program.

III. OBJECTIVES

1. To explore the potential for implementing the Regional Greenlands System through conservation management of natural areas in the City of Hamilton as identified in "Towards a Regional Greenlands System".
2. To identify Core Natural Areas, Linkages and Restoration opportunities as described in the Greenlands System Criteria using Greenlands Mapping and the Natural Areas Data Base.
3. To evaluate the sites requiring restoration identified through the Greenlands Project and other sources and establish priority area and implementation strategies applicable to each.

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IV. SCOPE OF WORK

Under the direction of the City of Hamilton, Parks Division, the consultant shall undertake the following work within the schedule discussed in Section V.

1. Working with City staff, become familiar with existing programs for naturalization and ecological restoration under the jurisdiction of the City.
2. Become familiar with the Region's Greenlands System and the 'landscape ecology' approach employed by the Region in response to the decline of isolated natural areas.
3. Using the Greenlands mapping and site specific information available from the Region, undertake a field survey of possible restoration sites for orientation purposes and to establish a priority list for more in depth field work.
4. In consultation with the City and Regional staff, develop a working definition of open-spaces and natural environment for the City consistent with the Region's Vision 2020.
5. In consultation with City staff, develop a menu of conditions to be investigated in the field at each of the priority restoration sites together with a system for rating each factor for purpose of illustrating extent of upgrade needed to sustain desired habitat(s).
6. Undertake field work at priority restoration sites and prepare an interim report for each location documenting findings based on range of factors developed under paragraph 5.
7. Provide recommendations for restoration work(s) pertaining to funding requirements, time implications and opportunities for public/private partnerships to assist in implementation.
8. Develop practical management strategies to protect, restore, and enhance open spaces and the natural areas, which can be considered for inclusion into the City's Official Plan.
9. Document all findings in a final report.

V. SCHEDULE

This work program is designed to coincide with a lease arrangement between the City of Hamilton and the consultant, involving residency at 22 Veevers Drive. The lease period is for 1 year, effective February 1, 1997.

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- 4 -

For the purpose of commencing this project, the Manager of Parks shall convene an orientation meeting involving the consultant and affected staff, said meeting to be arranged prior to February 28, 1997. At this time a work schedule will be finalized and will include a regular series of meetings for the purpose of reporting progress.

VI. FEES

There is no fee payment to accompany this project as this work program represents a unique arrangement stemming from the City's ownership and obligations relative to Glen Manor - the Veever's Home. This work program has been designed to equal the value of rent plus annual taxes for a 1 year period at 22 Veever's Drive.

PSU/RWC

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative CI-96-K, for a change in zoning from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified, for property located at 8-10 Brantdale Avenue, shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That the lands be rezoned from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and,
 - (ii) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height; and,
 - (2) Notwithstanding Section 10(3)(ii) of Zoning By-law No. 6593, a side yard along each side lot line of a width of at least 0.91 m (3.0 ft.) shall be provided and maintained; and,
 - (3) Notwithstanding Section 10(4)(i) of Zoning By-law No. 6593, each lot for a single-family dwelling shall have a minimum lot width of 9.0 m (30 ft.) and an area of at least 275 m² (2960 S.F.); and,
 - (4) That the total gross floor area of all dwelling units or parts thereof on each lot shall not exceed 0.45 times the lot area; and,

- (5) Notwithstanding Section 2.(2)J.(viii) of Zoning By-law No. 6593, "Gross Floor Area" is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:
 - (i) an attached garage;
 - (ii) a detached garage; and,
 - (iii) the floor occupied by heating, air conditioning and laundry equipment;
- (6) For the purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9; and,
- (7) In addition to the requirements of Section 18A of Zoning By-law No. 6593, where a dwelling is constructed with an attached garage, then the finished level of the private garage floor shall be a minimum of 0.3 metres above grade; and,
- (8) That a visual barrier not less than 1.2 m to 2.0 m in height shall be provided and maintained along a lot line that abuts a commercial district; and,
- (9) That any visual barrier along any side lot line shall be setback a minimum of 2.0 m from the front lot line; and,
- (10) That Section 18(2)(i) of Zoning By-law No. 6593 shall not apply to the subject lands; and,
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1373, and that the subject lands on Zoning District Map W-7 be notated S-1373; and,
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-7 for presentation to City Council; and,

- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

- 2. (a) That approval be given to Application RR-96-001, under the Rental Housing Protection Act, Bold Street Holdings Ltd., owner, for renovations to the buildings at 123 - 125 Bold Street, Hamilton, containing 111 rental apartment units, as shown on Appendix "B", subject to the following condition:
 - (i) That the owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
 - (b) That upon satisfaction of the above-noted condition, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 3. That the City Council support the initiative to consider a change in the traffic pattern in the Downtown Core, that the report to do so be expedited , and that this resolution be forwarded to the Regional Transportation Services Committee and the Transport and Environment Committee for consideration.
- 4. That the City of Hamilton through the Building Department Housing and Loans Division, without prejudice, reimburse Mr. and Mrs. Mohammed of 261 Cranbrook Drive in the amount of \$2,875 which was payable through the former OHRPD programme, and that the payment be subject to the Mohammed's signing a letter of release regarding the outstanding legal action. **REFERRED BACK.**
- 5. (a) That Council forward a letter of thank you to the Hamilton Society of Architects, which commends their hard work, enthusiasm, and commitment to finding positive and meaningful solutions for downtown Hamilton; and,
 - (b) That the report entitled "Hamilton Downtown Ideas Charrette: Final Report" be received and referred to the Downtown Partnership for coordination with the "Strong Medicine" Report; and,

- (c) That staff and the Downtown Partnership continue to work on the implementation of the conclusions numbered 1-5, as outlined in Appendix "C"; and,
 - (d) That the conclusions numbered 6, 7, and 8, as outlined in Appendix "C", respecting the downtown planning be incorporated into the terms of reference for the Downtown Neighbourhood Secondary Plan; and,
 - (e) That the conclusions numbered 9 and 10, as outlined in Appendix "C", respecting parking and two-way traffic, be referred to the Downtown Initiatives Committee for review and recommendation.
6. (a) That the Public Works and Traffic Department be authorized to give to each Business Improvement Area in the City of Hamilton 5 sesquicentennial banners free of charge ; and,
- (b) That the remaining sesquicentennial banners be sold at a cost of \$25 each , inclusive of G.S.T. ; and,
- (c) That the revenue derived through the selling of the banners be credited to the account utilized to purchase same (Account Number CF 5698 428705099 - the Commercial Improvement Program). **REFERRED BACK.**
7. (a) That under the Commercial Improvement Program, luminaries be affixed to building faces abutting alleyways within the Concession Street B.I.A., to increase security of the alleyways; and,
- (b) That the City Solicitor be authorized to prepare the necessary legal agreements to attach and maintain the lighting fixtures to private property; and,
- (c) That the Mayor and City Clerk be authorized to execute the agreements referenced in (b) above.
8. (a) That the City of Hamilton accept donations of \$30,000 from the Crown Point East/McAnulty Citizens' Advisory Committee/individual donors for future construction of capital projects in St. Christopher's Park/Pipeline Park; and,
- (b) That the funding appropriation for the Capital Budget Project entitled Crown Point East/McAnulty, Account No. CP4010 429407001 be increased to \$430,000 from \$400,000 to include the neighbourhood/individual donations; and,

- (c) That the City Solicitor be authorized to amend the appropriate By-law to increase the gross cost from \$400,000 to \$430,000, subject to receiving \$30,000 donation, with no increase in debenture authority; and,
 - (d) That an income tax receipt be issued for each donation to the City of Hamilton for \$10 or more.
9. (a) That the City of Hamilton reimburse the Canadian Mental Health Association \$39,619.89, representing the remainder principal portion of the original grant of \$325,000; and,
- (b) That, as agreed by the Canadian Mental Health Association, the interest earned on the fund since inception, currently amounting to \$24,652.13, be retained by the City for administration charges which is to be credited to account CH 44008 50001.
10. (a) That \$25,000 of the \$40,000 provincial allocation for the Street Festival Component of the 1996-1997 Barton Street Redevelopment Program be reallocated to the Street Enhancement Component; and, **AMENDED.**
- (b) That \$25,000 of the \$40,000 provincial allocation for the Street Festival Component of the 1997-1998 Barton Street Redevelopment Program be reallocated to the Street Enhancement Component; and, **AMENDED.**
- (c) That staff be authorized and directed to request approval from the Ministry of Citizenship, Culture & Recreation for the reallocation of funds as stated above.
11. That the Building Commissioner be authorized to issue a demolition permit for 152 Simcoe Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
12. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars (\$2,000) be approved for Emily Archer, 327 Hixon Road. The interest rate will be 8 per cent amortized over 5 years.
13. That approval be given to the request by Bowlerama Limited, owner of the lands at 121 Highway No.8 , as shown on the attached map marked as Appendix "D", for an extension to the approval of Site Plan Control Application DA-93-32 to January 19, 1998, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

14.
 - (a) That approval be given to Part Lot Control Application 96-03, 100 Main Street East Ltd., owner, to remove part-lot control for Lots 67 - 78, inclusive, located in "Rymal Estates", to permit the creation of 11 lots from the existing 12 lots, as shown on the attached map marked as Appendix "E"; and,
 - (b) That the attached By-law, marked as Appendix "F" to remove part lot control from Lots 67 to 78 inclusive, Registered Plan 62M-679, "Rymal Estates" plan of subdivision, be enacted by Council; and,
 - (c) That the exempting By-law be restricted to a 90 day effective time period; and,
 - (d) That following the enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the By-law and endorse the same on the By-law.
15.
 - (a) That approval be given to the request by John Parente, Solicitor for 822827 Ontario Inc., owner, for a 3 month extension to remove part-lot control to establish maintenance easements for Lots 1 - 19, inclusive, located in "Allison Estates, Phase 1, Stage 2", Registered Plan No. 62M-795, as shown on Appendix "G"; and,
 - (b) That the attached By-law, marked as Appendix "H" to extend part-lot control from Lots 1 to 19, inclusive, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2" plan of subdivision, effective until April 1, 1997, be enacted by Council.
16.
 - (a) That the City of Hamilton request the Regional Municipality of Hamilton-Wentworth to defer the Medium Density designation on Schedule A5 - Secondary Plan and Policy 13.5.15 of the City of Stoney Creek Official Plan Amendment No. 66 (Olde Town Secondary Plan) until such time as the City of Hamilton and the City of Stoney Creek can resolve the planning issues related to the Cardinal Newman High School site; and,
 - (b) The City Clerk be requested to inform the City of Stoney Creek of the City of Hamilton's request for deferral for the above noted policy and Secondary Plan designation.
17. That Site Plan Control By-law No. 79-275, as amended, be further amended to include lands at 130-136 Kenilworth Avenue North, as shown on the attached map marked as APPENDIX "I".

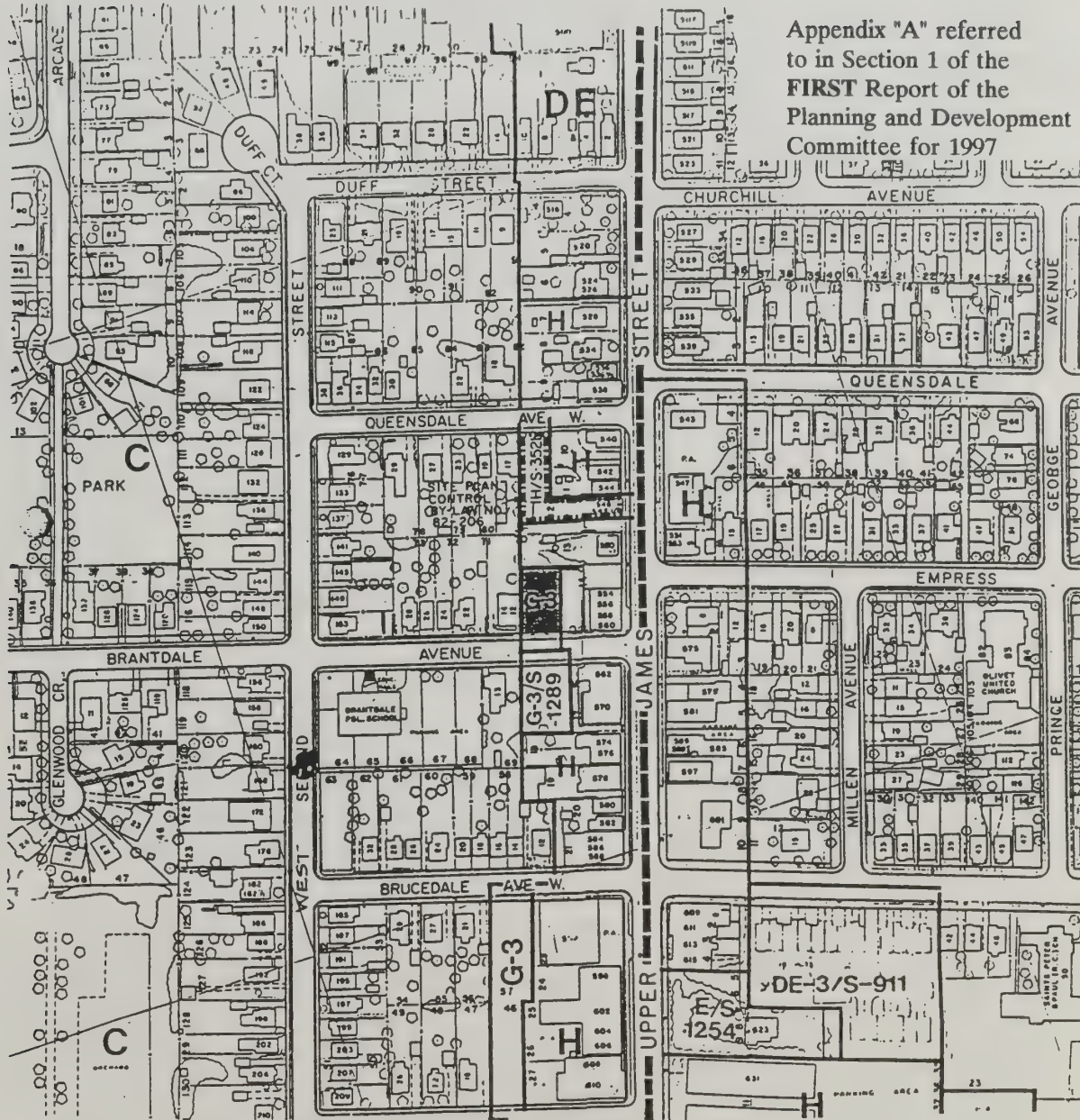
18. That the appropriate staff (eg. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to approve Application No. B-96-6, respecting a land severance for lands located at No. 85 Mountain Avenue, as shown on the attached map marked as Appendix "J".
19. That the City of Hamilton accept the sum of \$21,250. as cash payment in lieu of the 5% land dedication in connection with Bar-Brock Estates - Phase 4, and \$23,750. as a cash payment in lieu of the 5% land dedication in connection with Eagleview Estates - Phase 1, Hamilton, being the cash payments required under Section 51.1 of the Planning Act.
20.
 - (a) That Alderman W. McCulloch be authorized to attend the 1997 Making Cities Livable Conference, to be held March 9 to 13, Charleston, South Carolina; and,
 - (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1997 Operating Budget.
21.
 - (a) That the Chairperson of the Planning and Development Committee or his designate be authorized to attend the 1997 APA National Conference, to be held April 5 to 9, San Diego, California; and,
 - (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1997 Operating Budget.
22. That the appropriate staff (eg. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearings in support of the Committee of Adjustment decisions to deny Applications No. A-96-174, respecting property located at No. 165 Queenston Road and No. A-96-179, respecting property located at No. 72 Nash Road South.
23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-01 By-law to Amend By-law 86-99 as Amended by By-laws No. 92-056 and 96-195 Respecting Members of the Board of Management of the Ottawa Street North Business Improvement Area.
 - (b) C-02 By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 95-046 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.

- (c) C-03 By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 95-044 Respecting Members of the Board of Management of the Barton General Business Improvement Area.
 - (d) C-04 By-law to Amend By-law No. 86-212 as Amended by By-laws No. 92-057 and 95-041 Respecting Members of the Board of Management of the International Village Business Improvement Area.
 - (e) C-05 By-law to Amend By-law No. 92-078 as Amended by By-law No. 95-043 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.
 - (f) C-06 By-law to Amend Zoning By-law No. 6593 Respecting Lands Bounded by Cannon Street, Queen Street, Hunter Street, Walnut Street, Jackson Street, Ferguson Avenue, Main Street, Wellington Street, Rebecca Street and Mary Street.
 - (g) C-07 By-law to Establish Site Plan Control Respecting Lands Located at Municipal Nos. 130-136 Kenilworth Avenue North.
 - (h) C-08 By-law to Remove Land Within the "Rymal Estates" Subdivision, Plan 62M-679 from Part Lot Control.
 - (i) C-09 By-law to Extend By-law No. 96-174 Respecting Land Within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62R-13933.
24. (a) That City Council authorize Mayor Morrow, Alderman Charters and Alderman Drury to attend with Counsel to the City at mediation meetings with respect to the Hamilton Harbour Hearing to be conducted by Vice Chair Owen of the Ontario Municipal Board; and,
- (b) That City Council request the Hamilton Harbour Commissioners to consent to an adjournment of the Hamilton Harbour Ontario Municipal Board Hearing pending the outcome of the mediation meetings conducted by Vice Chair Owen.
- ADDED.**

Respectfully submitted,

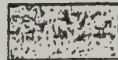
**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 January 22**



Appendix "A" referred to in Section 1 of the **FIRST** Report of the Planning and Development Committee for 1997

Legend



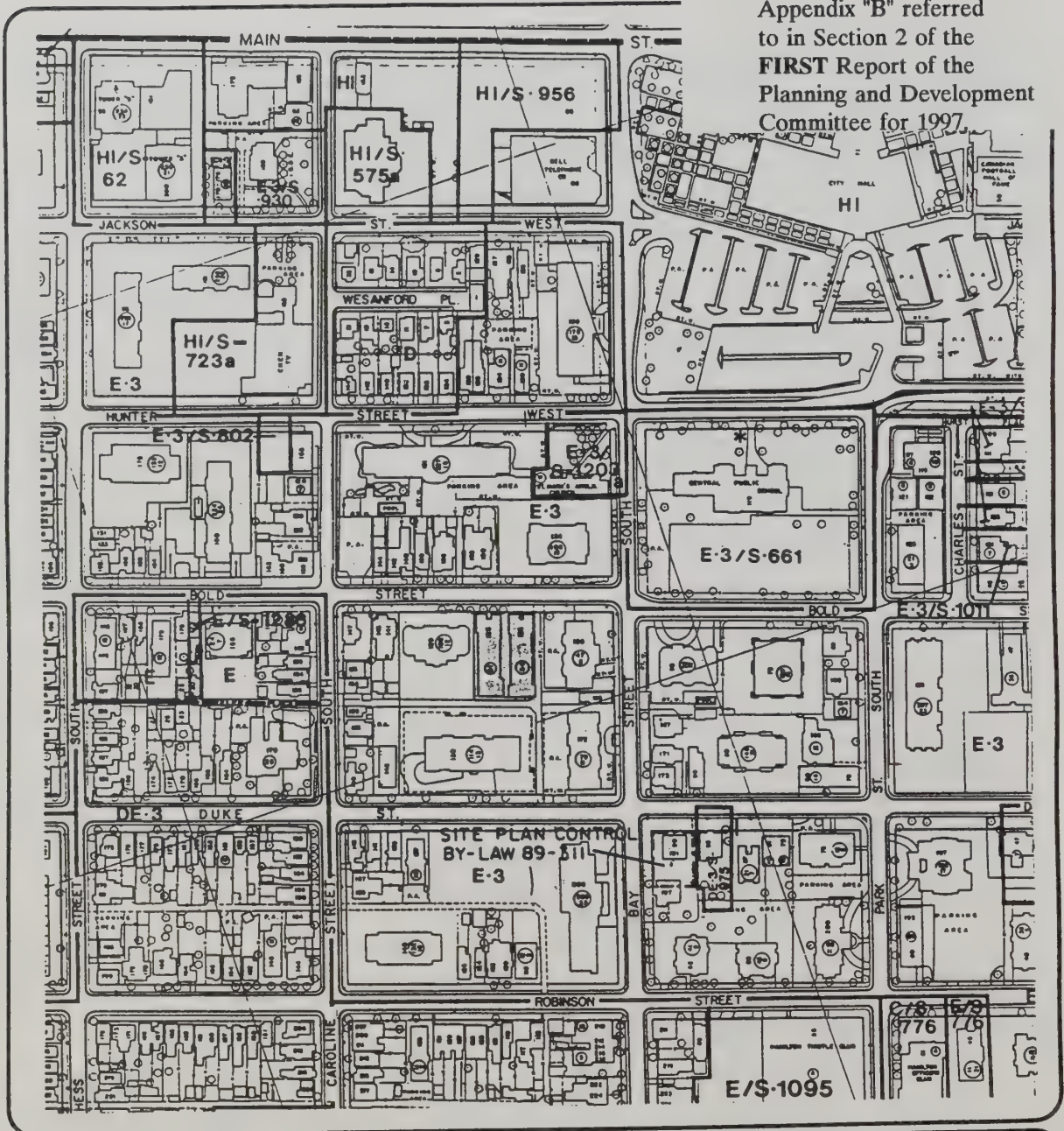
Site of the Application



From: "G-3" (Public Parking Lots) District

To: "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District - modified

Appendix "B" referred
to in Section 2 of the
FIRST Report of the
Planning and Development
Committee for 1997.



City of Hamilton

Key Map

Rental Housing Protection Act

123-125 Bold Street

Planning and Development Department

Legend

Appendix " "

 Location of Subject Lands

North



Scale
Not to Scale

Date
November 1996

Reference File No.
RR-96-001

Drawn By
R.L.

Appendix "C" referred
to in Section 5(c)(d)&(e)
of the **FIRST** Report of the
Planning and Development
Committee for 1997

CONCLUSION

In celebrating the City of Hamilton's Sesquicentennial Birthday, the Hamilton Society of Architects unanimously agreed the most appropriate gift we could present our city with would be in the area we, as a group of professionals, excel in - namely - in the understanding of how and why cities work.

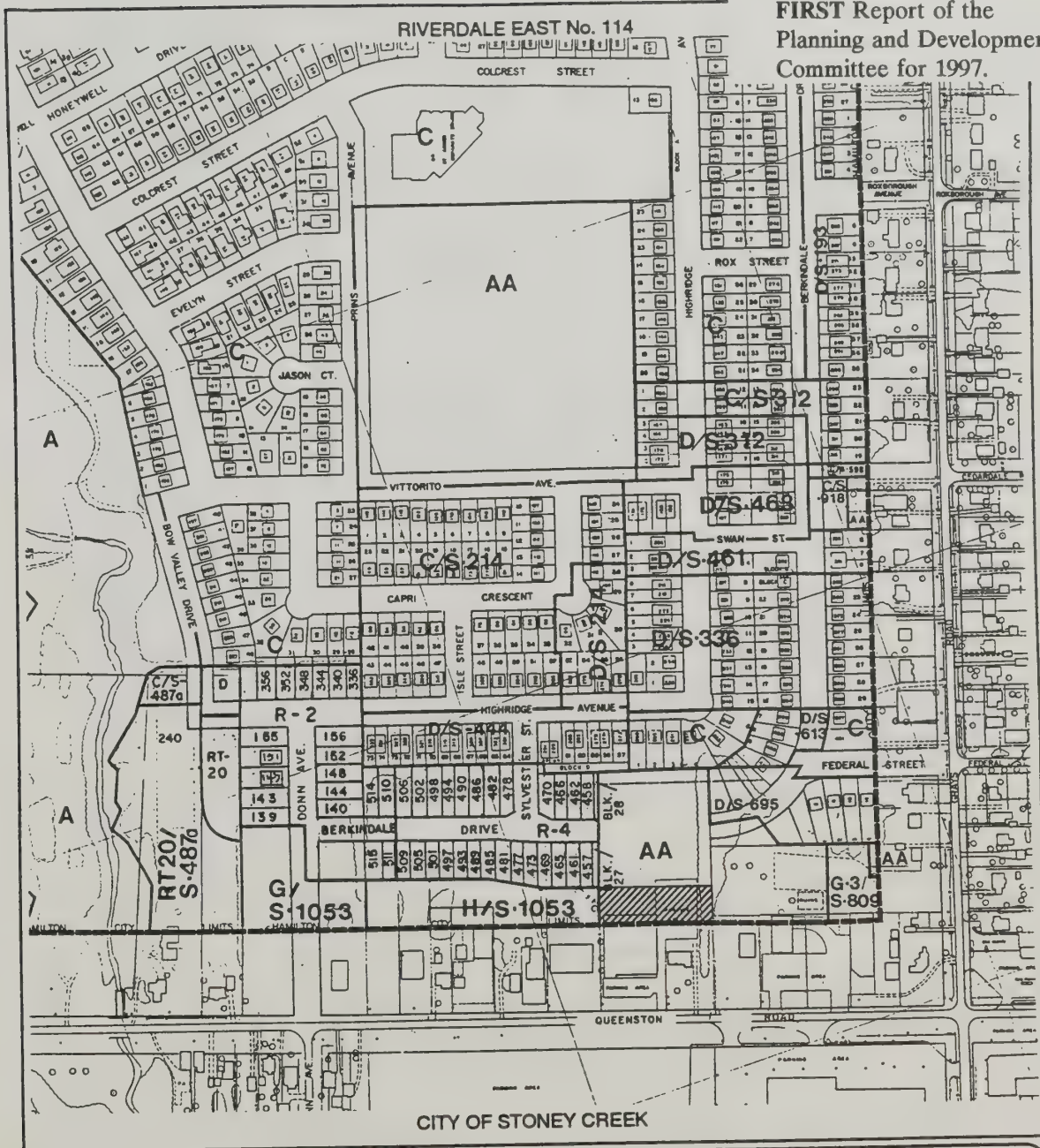
The purpose of the "Downtown Ideas Charrette" was to bring an understanding to the public why our downtown is in such decline and what steps can be taken to bring a new sustainable life to downtown Hamilton. Public awareness of the issues and solutions are critical to the revitalization of our city-centre, as the main ingredient to the solution is the public's incentive to bring back our city-centre as the heart of our community, reflecting our energy, vibrancy, aspirations and entrepreneurial spirit.

What follows is list of recommendations collected and summarized from the 5 teams by the Charrette Organizing Committee. If these recommendations are realized we as a community can be very hopeful that our "heart" may once again beat with some certainty.

- 1 Lobby the provincial government for re-evaluation of downtown as a special enterprise zone with property assessment policies on either a market value, actual value or unit value tax assessment base.
- 2 Focus on attracting new growth and small scale manufacturing industries to downtown Hamilton (regional wineries, biomedical firms, telecommunications industries, etc.).
- 3 Create a "Hamilton Downtown Facilitator" position with an urban design/architectural background operating at arm's length from government bodies responsible for:
 - Promoting development opportunities,
 - Recruiting tenants,
 - Facilitating and encouraging development permit applications,
 - Encouraging site regeneration vs. demolition,
 - Generating and maintaining an inventory of available space,
 - Matching occupancy opportunities with available space,
 - Coordinating event based promotions,
 - Coordinating and managing marketing promotions, etc.
- 4 Market downtown as a dynamic, environmentally clean and convenient live/work environment focussing on growth/redevelopment potential and telecommunications strength.

5. Together with emerging existing occupancies (educations, medical, commercial, retail, institutional, cultural...) encourage new occupancies that promote a robust residential population namely:
 - Affordable housing,
 - Student accommodation,
 - Condominium conversions (ex. Piggott building),
 - "H-Offices" (home office environments),
 - Loft conversions, etc.
6. Create the Downtown as a separate neighbourhood.
7. Establish the downtown as a "no zone" zone deregulating zoning and reducing red tape. The "no zone" policy should include:
 - Restrictions on land uses to be limited to noxious uses and certain types of industrial uses,
 - Development should be controlled through a development permit process and built-form standards such as density, building height, setbacks/build-to lines, parking and servicing requirements,
 - A maximum building height of 6 storeys,
 - Elimination of all development charges.
8. Develop a series of 'green links' as the primary organizing framework for the core connecting existing and proposed streets, parks, cultural facilities and other precincts within the core.
9. Parking
 - Introduce a parking credit system encouraging businesses to buy parking (or granted by the City to tax paying businesses) as an incentive for their customers.
 - Implement a more tolerant parking enforcement policy with warning notice issuance prior to fine enforcement.
 - Encourage lower prices for short-term parking.
 - Employ new technologies providing parking rights by time and on a broader payment basis (i.e. credit card payment, card accounts).
 - Reduce the number of parking lots.
10. Return James St. And King Streets to two-way traffic.

Appendix "D" referred
to in Section 13
FIRST Report of the
Planning and Development
Committee for 1997.



City of Hamilton
Plan Showing
Lands Subject to
Site Plan Control
Application DA-93-32

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Site of the Application

North



Scale
NOT TO SCALE

Date
SEPTEMBER 1993

Reference File No.
DA-93-32

Drawn By
Z.K.

Appendix "F" referred
to in Section 14(b) of the
FIRST Report of the
Planning and Development
Committee for 1997.

The Corporation of the City of Hamilton

BY-LAW NO. 97—

To Remove
Land within the "Rymal Estates" Subdivision, Plan 62M-679
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part,
as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

APPENDIX " F " "

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

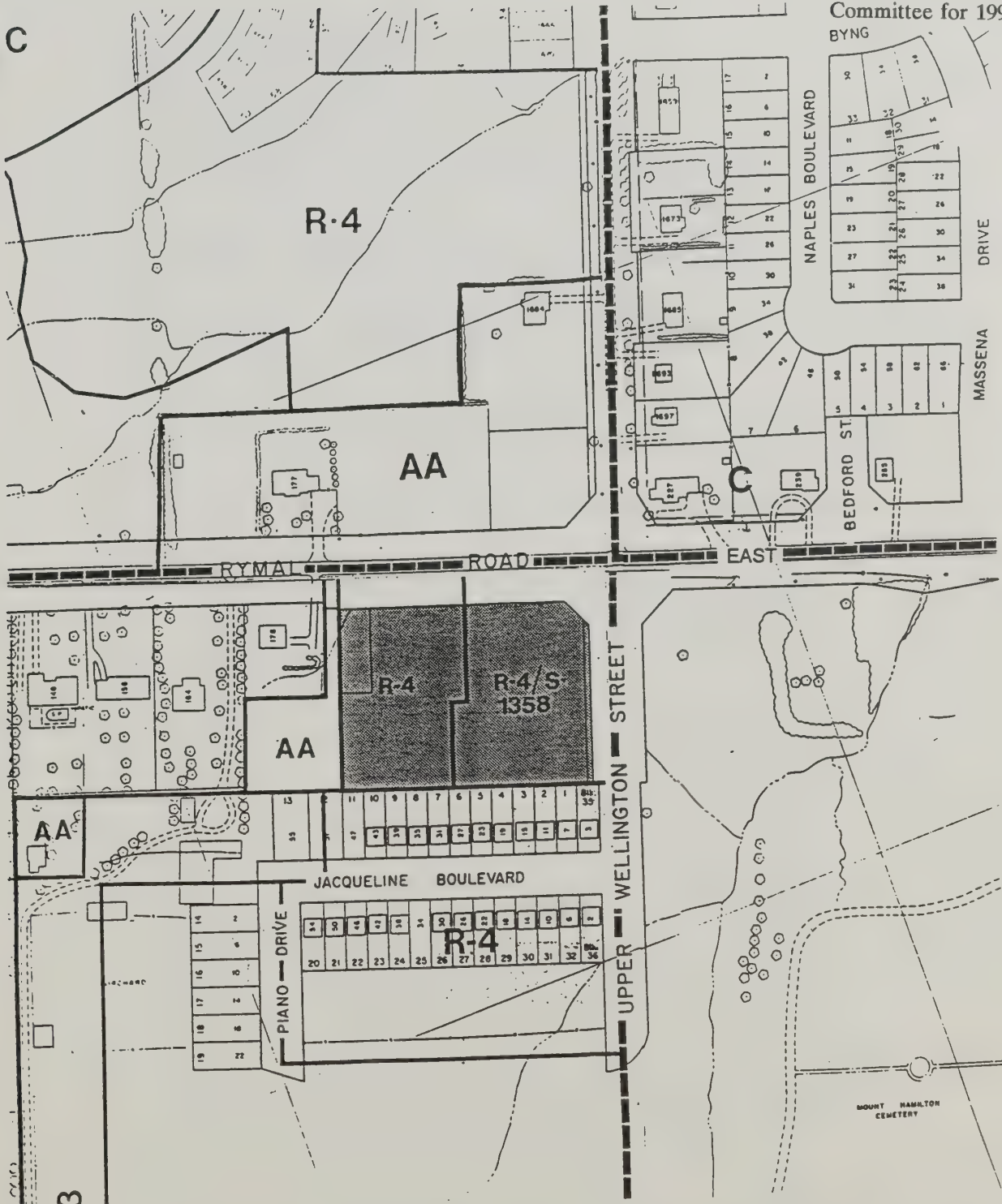
Lots 67 to 78 inclusive within Registered Plan Number 62M-679, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on May 1, 1997.

PASSED this day of

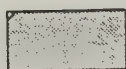
A.D. 1997.

City Clerk

Mayor



Legend



Site of the Application



APPENDIX

Appendix "H" referred
to in Section 15(b) of the
FIRST Report of the
Planning and Development
Committee for 1997

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Extend By-law No. 96-174

Respecting:

**LAND WITHIN THE "ALLISON ESTATES - PHASE 1, STAGE 2" SUBDIVISION,
PLAN 62R-13933**

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part,
as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 96-174 on October 29, 1996 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on February 1, 1997;

- 2 -

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 96-174;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 96-174 is hereby repealed and the following substituted therefor:

"(c) This By-law shall expire on April 1, 1997."

2. In all other respects, By-law No. 96-174 is hereby confirmed, unchanged.

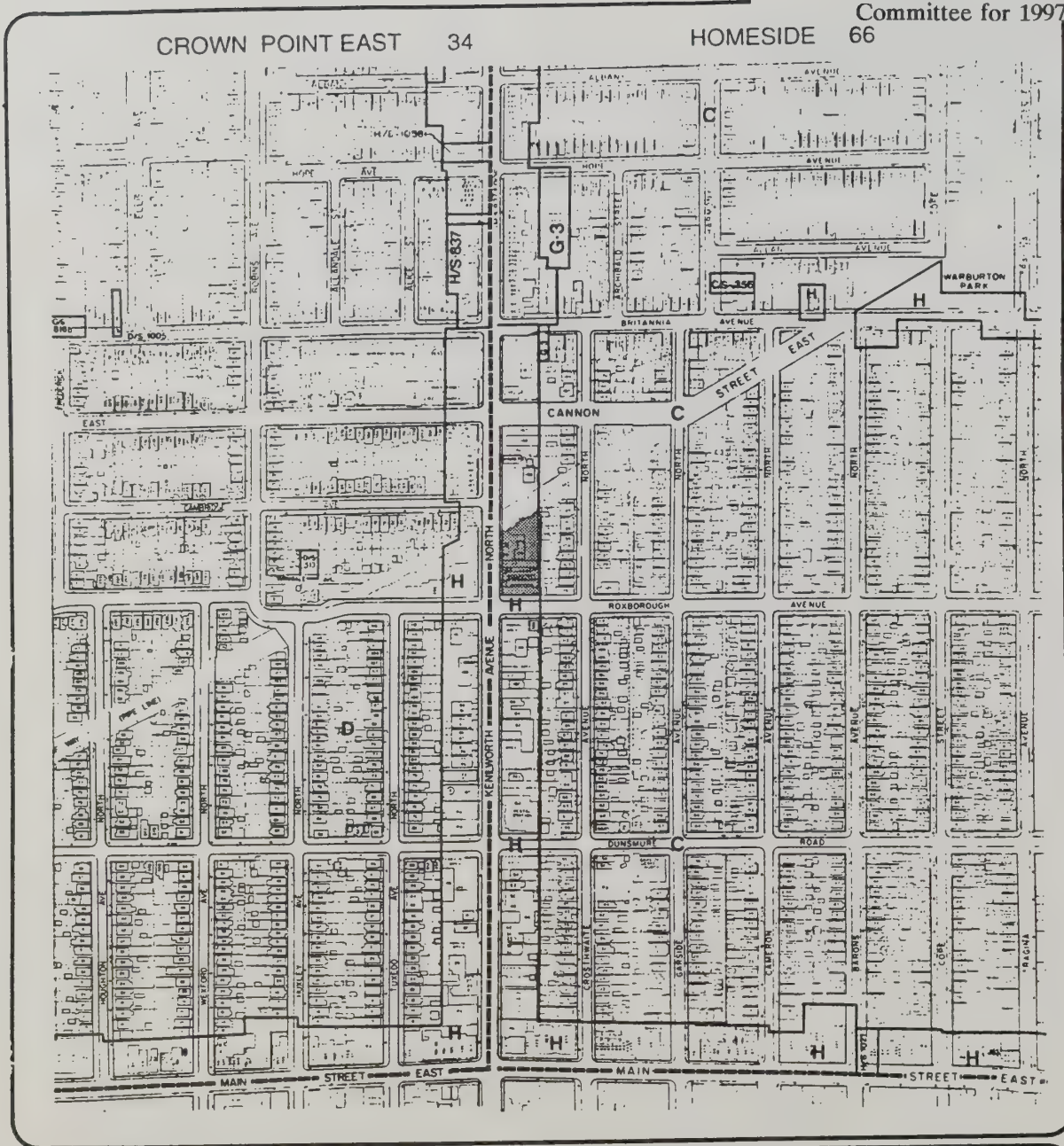
3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 96-174.

PASSED this day of A.D. 1997.

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. , January 28



City of Hamilton

Plan Showing Lands Subject to

Site Plan Control
Application DA-96-23

Planning and Development Department

Legend



Site of the Application

North



Scale

Not to Scale

Date

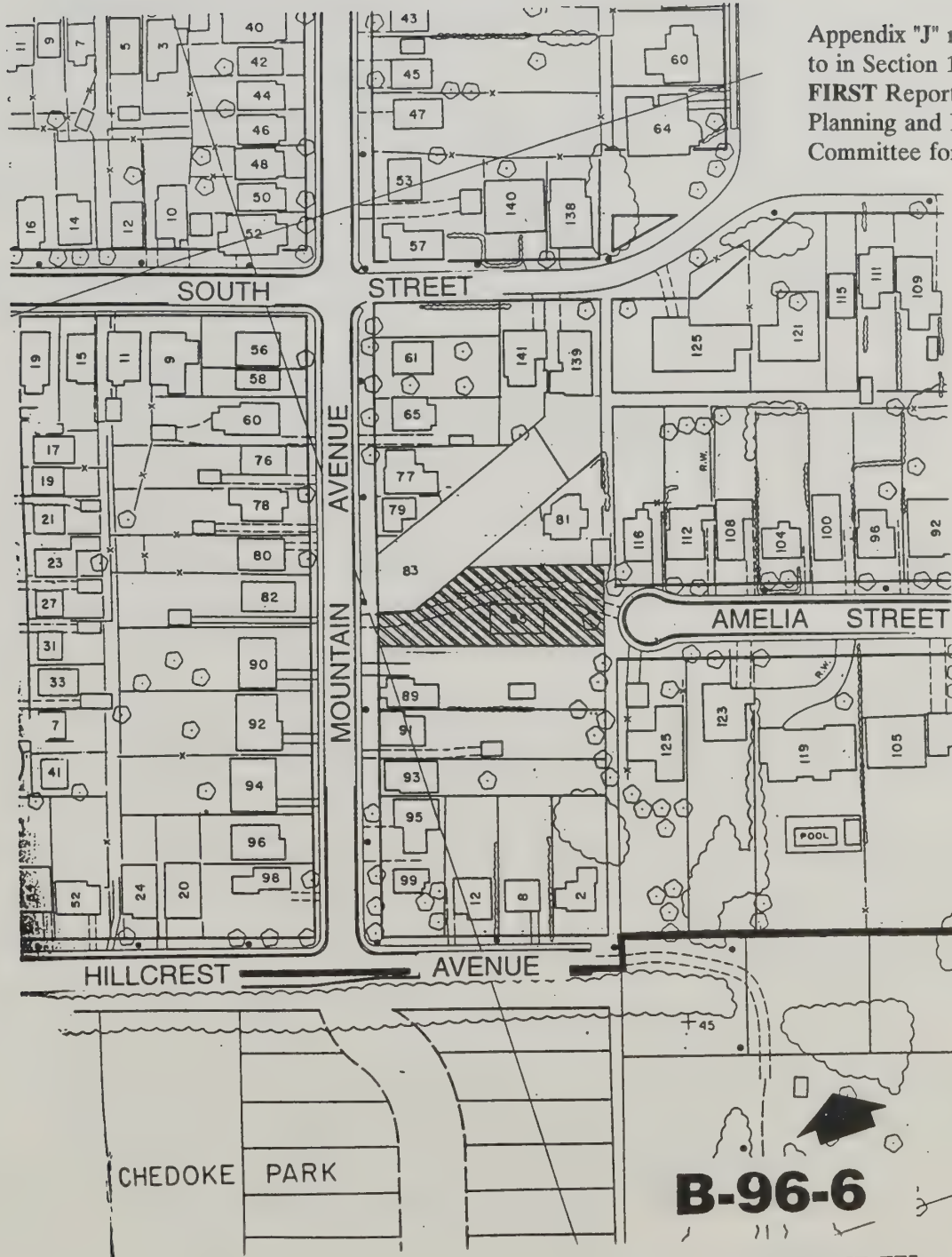
OCTOBER 1996

Reference File No.

DA-96-23

Drawn By

R.L.



Appendix "J" referred
to in Section 18 of the
FIRST Report of the
Planning and Development
Committee for 1996

B-96-6

APPENDIX

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1.
 - (a) That approval be given to the Art Gallery of Hamilton to situate a sculpture entitled "Breath" by Canadian artist and sculptor John McEwen, in the Irving Zucker Sculpture Court on Commonwealth Square; and,
 - (b) That approval be given to the Art Gallery of Hamilton to move two sections of benches in the Sculpture Court for the placement of this sculpture at a cost to be paid by the Art Gallery.
2.
 - (a) That the City resolve Ontario Court (General Division) Action # 29000/91 by payment to the Plaintiff, Eileen Laslo, of the sum of \$49,980.49 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 29000/91 be dismissed without costs.
3. That pursuant to By-law 91-089, the invoice submitted by Douglas Hodgson, Turkstra Mazza Shinehoft Mihailovich Associates, for the City's Chief Administrative Officer in the amount of \$5,753.76 and such future invoices satisfactory to the City Solicitor be charged to Account Number CH 55428-44001, Outside Counsel.
4. That the City Offer to resolve all issues outstanding between itself and Frank Bufalino and Sons Construction Limited in Ontario Court (General Division) Action # 34571/94 on the following terms:
 - (a) That the City shall pay to the Plaintiffs, Frank Bufalino and Sons Construction Limited, the sum of \$22,981.69; and,

- (b) That the City shall pay to the Plaintiffs pre-judgment interest in accordance with the Courts of Justice Act on the sum of \$22,981.69 from 1994 August 22, to the date of payment; and,
 - (c) That the City shall pay to the Plaintiff its Party/Party costs of this action which are related solely to the issue of the balance owing to the Plaintiff under the Contract with the City, such costs to be agreed or assessed; and,
 - (d) That Ontario Court (General Division) Action # 34571 be dismissed as against The Corporation of the City of Hamilton.
5. That the City Offer to Settle all outstanding issues in Ontario Court of Appeal file No. C16095 in the following terms:
- (a) That the Defendant shall pay to the City \$38,212.75 representing one-third of the Judgement in this matter dated 1993 June 23; and,
 - (b) That the Defendant shall pay to the City the sum of \$9,709. representing Post-Judgement Interest on \$38,212.75; and,
 - (c) That the Defendant shall pay to the City its Party/Party costs of the original Action in the amount of \$12,078.25; and,
 - (d) That the Defendant shall pay to the City one-third of all BIA levies from 1993 June 23 to date, together with one-third of all outstanding interest and penalties on such BIA levies, calculated as of 1997 February 14. That the City will accept the sums of money set out in this paragraph in equal monthly instalments over a period of twenty-four months, without further interest, and that upon final completion of payments the City will issue a Satisfaction Piece to the Defendant with respect to the monetary and cost provisions of the Judgment in Ontario Court (General Division) Action No. 2353/86; and,
 - (e) That forthwith after the acceptance of this Offer, the Defendant's Appeal to the Court of Appeal in File No. C16095 be dismissed without costs; and,
 - (f) That the City use its best efforts to amend the Ottawa Street BIA By-law (By-law 86-31) pursuant to the provisions of the Municipal Act, to reduce the BIA levy with respect to the Jockey Club Tavern Ltd, and/or its successor corporation, Oakwood Place Inc., by two-thirds. Subject to the prior receipt by the City of a written undertaking from the Defendant, or its successor corporation, in a form satisfactory to the City Solicitor, that it will not take any steps to appeal such amendment to the OMB or otherwise to attempt to use the

occasion of the consideration of an amending by-law to have itself removed from the Ottawa Street BIA, or to seek a levy of a lesser amount than referred to in this Offer; and,

- (g) That in the event that the Defendant fails to make any monthly payment referred to in paragraph (d), in full and on schedule, the whole remaining amount due pursuant to paragraph (d) shall become payable forthwith. In that event, should the Defendant fail to make full payment of the remaining balance due within thirty days, the City shall be entitled to rely upon and enforce the full amount of the Judgment in Action 2353/86, subject only to deduction of amounts already received from the Defendant; and,
- (h) That the City shall lift its Execution in Ontario Court (General Division) Action 2353/86 on 1997 February 14, to enable the Defendant to complete certain financial transactions; and,
- (i) That this Offer remain open for acceptance until withdrawn or until 4:59 p.m. on the last business day prior to the day upon which the hearing of this Appeal before the Ontario Court of Appeal proceeds, whichever first occurs.

- 6. That a Purchase Order be issued to Emille Shoes Ltd., Burlington, for the supply and delivery of Safety Footwear as and when required during 1997 to Purchasing Stores, being the lowest of four tenders received, in accordance with specifications issued by Purchasing and be financed through the Stores Inventory Account No. CH 56103 28999, as follows:

Mens and Ladies Kaufman Winter Boots	\$74.86/pair
Mens 31" Kaufman Hip Waders	\$68.98/pair
Mens Rubber Commuter Boots	\$33.97/pair
Mens 8" Thinsulate Kaufman Boot	\$78.63/pair
Ladies 8" Thinsulate Kaufman Boot	\$77.22/pair
Mens and Ladies Terra Safety Shoe	\$58.48/pair
Mens and Ladies Terra 6" Boot	\$65.76/pair

All taxes extra

- 7. That as referred to in Section 18 of the First Report for 1997 of the Transport and Environment Committee, the City Treasurer be authorized to set up a Capital account to acquire lands for highway purposes from Canada Lands Company Limited, located at Ferguson Avenue South, between Main and King Streets, at an estimated amount of \$55,000. to be financed from the Reserve for Property Purchase, Account Centre No. CH 00102.

8. (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owner of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

229 Sherman Avenue South

- (b) That a by-law to authorize the said Extension Agreement be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.
9. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$68,947.83 be approved and charged to CH53316-24104 Tax Remissions.
10. (a) That the amendment to the United Brotherhood of Carpenters and Joiners of America, Local 18, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
11. That the listing of Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1997 January 10, attached herewith and marked Appendix "A", be approved.
12. (a) That the document "Strong Medicine - A Prescription for the Heart of Hamilton-Wentworth", previously sent to all members of City Council and available from the Committee Secretary upon request, be approved as a guideline for discussion on Downtown Revitalization; and,
- (b) (i) That the Downtown Partnership be established by the City of Hamilton in conjunction with the Regional Municipality of Hamilton-Wentworth as the means of implementing the Strategy; and,

- (ii) That the Terms of Reference, attached herewith and marked Appendix "B", for the Downtown Partnership be approved; and,
 - (c) That the area for downtown revitalization, defined as the Downtown Core, from Victoria Avenue to Queen Street and from Cannon Street to Hunter Street be accepted; and,
 - (d) That the first year operational budget for the Downtown Partnership be equally shared between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth and be included in the respective 1997 budget discussions; and,
 - (e) That this entity be established as "The Downtown Hamilton Partnership" pursuant to the provisions of The Municipal Act or other appropriate legislation, in a form satisfactory to the City Solicitor including the possibility of sponsoring a community economic development corporation to facilitate venture capital assistance or other community development initiatives; and,
 - (f) That an Interim Downtown Co-ordinator be appointed from existing staff complement of the City of Hamilton.
13. (a) That the Chairman of the Finance and Administration Committee be appointed on an interim basis as Chairman of the Downtown Partnership Board to facilitate identification of the membership of the Partnership and of the various Task Forces; and,
- (b) That this resolution be referred to the Region of Hamilton-Wentworth for adoption.
14. (a) That effective 1997 January 1, Deputy Chief Gil Desjarlais be appointed Acting Fire Chief until the appointment of the City's new Fire Chief; and,
- (b) That the Chief Administrative Officer be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26th; and,
- (c) That a Staff Committee comprised of the Chief Administrative Officer, two members of the Corporate Management Team and a Fire Chief from a similarly sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,

- (d) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.
15. (a) That the Building Commissioner's position be reclassified from its present salary level "D" to salary level "B"; and,
- (b) That the General Manager of Non-Profit Housing's position be reclassified from its present salary level "J" to salary level "H".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15

NAYS: Aldermen Caplan, D'Amico -2.

CARRIED.

16. (a) That in accordance with the policy approved by City Council on 1996 October 29, for properties vested with the City on tax sale, the tax arrears applicable to the following properties be written off as uncollectible:

405 Hess Street South	\$	1,917.19
87 King Street East		72,624.41
89 King Street East		200,316.58
226 1/2 Grosvenor N.		12,114.42
71 Horning		2,432.33

- (b) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102; and,
- (c) That the Region and the Board of Education's share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

17. That the prelevy residential and non-residential mill rates for 1997 be established at figures slightly below 50% of the 1996 respective mill rates as follows:
 - (a)
 - (i) That a real property tax prelevy mill rate of 210 mills be established for 1997 to be billed in two instalments of 105.0 mills each, payable 1997 February 28 and March 31. This prelevy rate represents 49.985% of the 1996 residential mill rate; and,
 - (ii) That a business tax prelevy mill rate of 247 mills be established for 1997 to be billed in one instalment, payable 1997 February 28. This prelevy rate represents 49.973% of the 1996 non-residential mill rate; and,
 - (b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1996 charge, to be billed in two equal instalments, payable 1997 February 28 and March 31.
18. That the City enter into an agreement with the Province of Ontario, as negotiated with the Province, attached herewith and marked Appendix "C", to hold the City harmless for environmental degradation on 606 Aberdeen Avenue, in the event that the tax sale to recover tax arrears is unsuccessful, resulting in the vesting of the property with the City of Hamilton.
19. That after hearing the evidence and submission of the complainant, Hanne Card, Humana House Non Profit Housing Corporation Inc, the Council of the City of Hamilton hereby waives the development charges imposed on the property located at 82-90 Stinson Street pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of \$2,432.76.
20.
 - (a) That the allocation for project No. 7 in the 1995 Capital Budget described as An Automated Building Permit Tracking System be increased by \$84,000 from \$250,000 to \$334,000; and,
 - (b) That approval be given to issue a purchase order to CSDC Systems, Mississauga, Ontario in the amount of \$260,000 for the supply and installation of an Integrated Management and Tracking System being the lowest acceptable proposal received in accordance with specifications issued by the Purchasing Division (ref. C1-1-96); and,

- (c) That the increased cost of \$84,000 for the Automated Building Permit Tracking System, Account Centre No. CF 509551017 from \$250,000 to \$334,000 be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.; and,
- (d) That the Mayor and the City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.
21. (a) That the development charges imposed under Development Charges By-law 95-176 be increased by 1.7% to reflect increased construction costs; and,
- (b) That Section 8(1) of By-law 95-176 be adjusted as follows:
- | <u>Type of Residential Unit</u> | <u>Per Unit</u> |
|--|-----------------|
| (i) Single detached dwelling, semi-detached dwelling, row dwelling | \$1,592.05 |
| (ii) Two or more bedroom apartment | 909.75 |
| (iii) Bachelor and one bedroom apartment | 454.87 |
- (c) That Section 8(2) of By-law 95-176 be adjusted as follows:
- | <u>Type of Residential Unit</u> | <u>Per Unit</u> |
|--|-----------------|
| (i) Single detached dwelling, semi-detached dwelling, row dwelling | \$ 211.97 |
| (ii) Two or more bedroom apartment | 121.12 |
| (iii) Bachelor and one bedroom apartment | 60.56 |
22. (a) That approval be given to issue a purchase order in the amount of \$88,917 inclusive of GST (\$5,817) to Trane Inc., Hamilton District Office to supply labour and materials to perform a major overhaul on the three centrifugal refrigeration chillers located within the Central Utilities Plant, this being the only acceptable tender received in accordance with the specifications (Ref: C14-21-96) issued by the Purchasing Division; and,

- (b) That this expenditure be financed from Capital Budget Account CF 319641027 Convert Air Conditioning Equipment.
- 23.
- (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
 - (i) 000 Upper James Street (Parts 2 and 3 on Plan 62R-10945). Landlocked vacant parcel - east side of Upper James between Rymal and Stone Church; and,
 - (ii) 644 Barton Street East; and,
 - (b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.
- 24.
- (a) That the City of Hamilton enter into a Lease Agreement with David Michael Howitt, Elizabeth Howitt, Richard Wilson and Ann Riches to lease part of the City lands at 80 Arkledun Avenue, being an irregular shaped parcel of City lands approximately 55.74 square metres (600 square feet) more or less, fronting on Arkledun Avenue, Hamilton; and,
 - (b) That the Lease Agreement contain the following terms and conditions:
 - (i) Term - Commencing 1997 April 1 and terminating 2002 March 31; and,
 - (ii) Rent - \$300 per year plus any applicable taxes to be credited to Account No. CH 44104 31106 (Miscellaneous Rentals); and,
 - (iii) Use - That the Lease Agreement shall be solely for vehicle parking purposes; and,
 - (iv) Maintenance - The Lessee to be solely responsible for all maintenance costs associated with the subject lands; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

25. (a) That Council approve the 1995 Memorandum of Agreement between the City of Hamilton and the Hamilton Professional Fire Fighters Association, Local 288; and,
- (b) That the term for the agreement is 1995 January 1 to 1995 December 31.
26. That City Council consent to the use of the name "Hamilton" in the proposed registering of the name "Hamilton Cultural and Ethnic Mosaic Association".
27. That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the Diamond Jubilee Conference of the Federation of Canadian Municipalities to be held in Ottawa/Carleton on 1997 June 6 - 9.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-1 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-2 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
29. That the City of Hamilton support the National Public Education Campaign called "Drink Smart Canada" and its initiative of addressing the serious social problem of the misuse of alcohol. **ADDED.**
30. That the Finance and Administration Committee be requested to review the relative merits of extending the current term of office of the City's appointee to the Hamilton Harbour Commission until December 1, 1997 in order that the term of this appointee is consistent with the term of office of members of City Council. **ADDED.**

31. That the Council of the City of Hamilton request that an inquest be held into the recent deaths of two workers in a confined space at Dofasco. That this request be made of the appropriate provincial authorities. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 January 21**

Appendix "A" as referred to
in Section 11 of the FIRST
Report of the Finance and
Administration Committee for 1997.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Gary Beasley	I	District Chief	Fire	Replacing Mr. C. Speight - retired, Nov. 30/96	\$66,992.60	Dec. 01/96
Mr. Robert Bell	I	District Chief	Fire	Replacing Mr. D. Factor - promoted, Dec. 01/96	\$66,992.60	Dec. 01/96
Mr. Nick Brennan	I	Lieutenant	Fire	Replacing Mr. E. Mills - retired, Nov. 30/96	\$57,934.32	Dec. 01/96
Mr. Ross Brydges	I	Captain	Fire	Replacing Mr. G. Beasley - promoted, Dec. 01/96	\$61,750.44	Dec. 01/96
Mr. Robert Caudle	I	Captain	Fire	Replacing Mr. R. Bell - promoted, Dec. 01/96	\$61,750.44	Dec. 01/96
Mr. Steve Cox	I	Lieutenant	Fire	Replacing Mr. R. Brydges - promoted, Dec. 01/96	\$57,934.32	Dec. 01/96

Prepared January 10, 1997

Status -
Internal - I
External - E

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS**

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. John Dove	I	District Chief	Fire	Replacing Mr. J. Mitchell - promoted, Dec. 01/96	\$66,992.60	Dec. 01/96
Mr. David Factor	I	Platoon Chief	Fire	Replacing Mr. A. Vandenkaker - retired, Nov. 30/96	\$72,764.50	Dec. 01/96
Mr. Tom Fehr	I	Chief Operations Engineer	Property	Replacing Mr. W. Douglas - deceased, Sept. 10/96	\$47,412.56 to \$55,811.08	Sept. 11/96
Mr. David Fitzpatrick	I	Lieutenant	Fire	Replacing Mr. J. Metham - retired, Nov. 30/96	\$57,934.32	Dec. 01/96
Mr. Daniel Gagliardi	I	Lieutenant	Fire	Replacing Mr. G. Talbot - retired, Nov. 30/96	\$57,934.32	Dec. 01/96
Ms. Laurene Gandin	I	Lifeguard I	Culture & Recreation	Replacing Ms. M. Reilly - promoted, Nov. 11/96	\$36,922.60 to \$42,511.56	Nov. 18/96

Prepared January 10, 1997

Status -
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Grant	I	Lieutenant	Fire	Replacing Mr. D. Downey - retired, Nov. 30/96	\$57,934.32	Dec. 01/96
Mr. Jim Harvey	I	Signs & Markings Specialist	Traffic	Replacing Mr. M. Antolich - resigned, Nov. 08/96	\$30,134.00 to \$33,016.88	Dec. 23/96
Mr. Juris Makarewicz	I	Lieutenant	Fire	Replacing Mr. J. Martin - promoted, Dec. 01/96	\$57,934.32	Dec. 01/96
Mr. John Martin	I	Captain	Fire	Replacing Mr. J. Dove - promoted, Dec. 01/96	\$61,750.44	Dec. 01/96
Mr. James Mitchell	I	Platoon Chief	Fire	Replacing Mr. M. Atkinson - retired, Nov. 30/96	\$72,764.50	Dec. 01/96
Mr. Mark Orr	I	Sports Groundskeeper	Public Works	Replacing Mr. B. Carey - promoted, Oct. 18/96	\$36,052.64 1 1	Nov. 18/96

Prepared January 10, 1997

Status -

Internal - I

External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Kenneth Phillips	I	Lieutenant	Fire	Replacing Mr. M. Caudle - promoted, Dec. 01/96	\$57,934.32	Dec. 01/96
Ms. Margaret Reilly	I	Program Organizer	Culture & Recreation	Replacing Mr. S. Lelievre - deceased, Sept. 30/96	\$26,922.60 to \$42,511.56	Nov. 18/96
Ms. Marilyn Simpson	I	Lifeguard II	Culture & Recreation	Replacing Ms. L. Gandin - promoted, Nov. 18/96	\$34,156.20 to \$39,374.92	Nov. 18/96
Mr. Wayne Thibodeau	I	Rink Attendant I	Culture & Recreation	New Position Council Approved August 27, 1996	\$36,780.64	Dec. 04/96
Ms. Janet Vandelaar	I	Secretary	H.E.C.F.I.	Replacing Ms. M. Howarth - deceased June 17/96	\$25,061.40 to \$29,260.92	Dec. 09/96

Prepared January 10, 1997

Status -
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Garry Smith	Fire Chief	Fire	Retired	31 years	Dec. 31/96
Mr. John Whitwell	Accounting Clerk	H.E.C.F.I.	Resigned	7 years, 9 months	Nov. 29/96

Prepared January 10, 1997

Glossary of Terms

Terminated -- long term disability -- discharge -- downsizing -- redundant	Resigned -- personal betterment -- personal reasons
---	--

TERMS OF REFERENCE - DOWNTOWN PARTNERSHIP

A. MANDATE

To create a downtown community where people wish to live, work and visit.

To co-ordinate, initiate and advise on strategic actions, programs and plans which address the revitalization of the Downtown Core of Hamilton. This is an alliance of the City, Region and Private Sector.

This will be achieved through the co-ordination, development and establishment of a strategic vision and action plan for the downtown; identification and viable initiatives in the downtown; undertake, broker, promote and support public and private actions which implement the initiatives established; and liaise in activities of all levels of government, special interest groups and agencies, private interests and the public.

B. GOALS AND OBJECTIVES

1. Implement marketing programs which address the entire downtown area. Most programs have focused on individual buildings, areas or B.I.A.'s. The Partnership will allow for the development and implementation of a comprehensive marketing program for the downtown as a whole. Specific goals include:
 - the creation of advertisements and the communication of awareness of downtown events and activities at Copps Coliseum, Hamilton Place, duMaurier Theatre, Trade and Convention Centre, etc;
 - the development of a cluster marketing program and recruitment of retail \ boutique retailers, dining \ cafe establishments in the downtown core;
 - strengthening and building on existing linkages between the downtown business interests and government in the downtown;
 - the development and promotion of a clean, safe and friendly downtown;
 - a safe, accessible and "no charge \ low-cost" parking program for shopping patrons;
 - the promotion of new and existing service oriented businesses in the downtown;

- 2 -

- the preparation of a long term vision for the downtown community to create a broad, understandable framework with which individual 's initiative can be assessed.
 - the commitment to changing public perception of the downtown through increased downtown tourism activities and celebration programs.
2. Assist and encourage investment and development in the downtown through actions such as:
- generation of public and private interests in developing and relocation projects in the downtown;
 - promotion of the downtown to those with investment interests;
 - creation, encourage and facilitate public \ private venture development initiatives;
 - creation of a clean, safe and attractive living environment;
 - encourage new residential development in the downtown; covering a wider range of housing types and income group;
 - attracting new and unique businesses into the downtown.
3. Generate new and expand existing events in the downtown with the aim of maintaining and increasing tourism, conventions and trip destinations into the downtown through actions including:
- community economic development initiatives;
 - creation and promotion of special theme events;
 - co-ordinating the activities of special event programs of the BIA's and Jackson Square;
 - raising public awareness of downtown business and services.
4. Lobbying for special legislation and government responses to problems identified in the downtown. The Partnership can act as a "voice" for downtown by acting on behalf of all interest groups within the downtown, rather than leaving every group to address their own concerns.

- 3 -

5. Investigate means of financing initiatives in the downtown core through the public and private sectors, including micro-business and single entrepreneurship efforts in cooperation with the YMCA, BAC and others.

D. MEMBERSHIP

The Board would be comprised of members of:

- a) the Chairman of the task forces (4)
- b) Private Sector members (7)
- c) Mayor and Regional Chairman as ex-officios, non-voting observers.

Total: 11

E. REPORTING STRUCTURE

The Board would meet as required to review proposals from task forces and other stakeholders, and to provide direction and monitoring of initiatives. Reporting obligations would be facilitated through the Economic Development and Planning Committee of the Region and the Finance and Administrative Committee of the City of Hamilton.

F. INITIATIVES SUGGESTED IN "STRONG MEDICINE"

Marketing Task Force

- * attract key retailers
- * mass market Art Gallery
- * make Main Street an institutional address
- * relocate Regional offices downtown
- * student bus passes
- * new downtown head offices
- * improve downtown appearance, including expanded floral plantings and streetscaping
- * attract downtown conventions and international business meetings
- * develop a business "prospective" to highlighted Downtown environment opportunities.

- 4 -

Residential Development Task Force

- * create plans for key buildings
- * Hamilton Halton Home Builders Initiatives
- * City Housing proposals for key properties
- * plans for reviving vacant buildings
- * implement Hamilton Downtown Ideas Charrette
- * consider the development of neo-traditional "new" neighbourhoods adjacent to the Downtown.

Business Development \ Financial Task Force

- * improve fibre optics
- * property tax reform and exemptions
- * "one-stop shopping" for development issues
- * meet with property owners to address issues, including "block by block" property owners' meeting
- * address parking issues
- * initiate strategic actions for attracting downtown investment for the ongoing operation of the Partnership
- * identify and secure capital and operational funding
- * with the assistance of municipal officials, engage in a targeted, aggressive recruitment effort for key retail and commercial tenants \ firms.

Strategic Planning Task Force

- * develop "Strong Medicine" recommendation, according to priority and opportunities
- * address transportation initiatives
- * develop downtown secondary plan
- * work on downtown charrette recommendations
- * undertake surveys, analysis, and develop future vision, directions and requirements
- * comprehensive strategic document for the long term vision of the downtown community to create a broad understandable framework with which initiatives can be assessed.

NOTE: It is recognized that the task forces are not exclusive but mutually beneficial and complementary to the goals and objectives.

BOARD NOMINEES - SECTORAL

Proposed Board Nominees

- * Hospitality Association
 - * Metro Hamilton Real Estate Board
 - * Financial Sector
 - * Arts \ Cultural Sector
 - * Manufacturing Sector
 - * Downtown Business Community (2 B.I.A. 's)
 - * Hamilton Housing Corporation
 - * Construction Sector
 - * Hamilton Parking Authority
 - * Hamilton & District Chamber of Commerce
 - * Transportation Sector
-
- * Mayor of Hamilton and Regional chairman (ex-officio)

- 6 -

OPERATIONAL BUDGET**Staff**

Administration \ Research	\$ 25,000
Consultants	20,000
Marketing \ Promotion	75,000
Computers	6,000
Office Supplies	4,000
Proposal Preparation & Presentation	50,000

TOTAL \$ 180,000

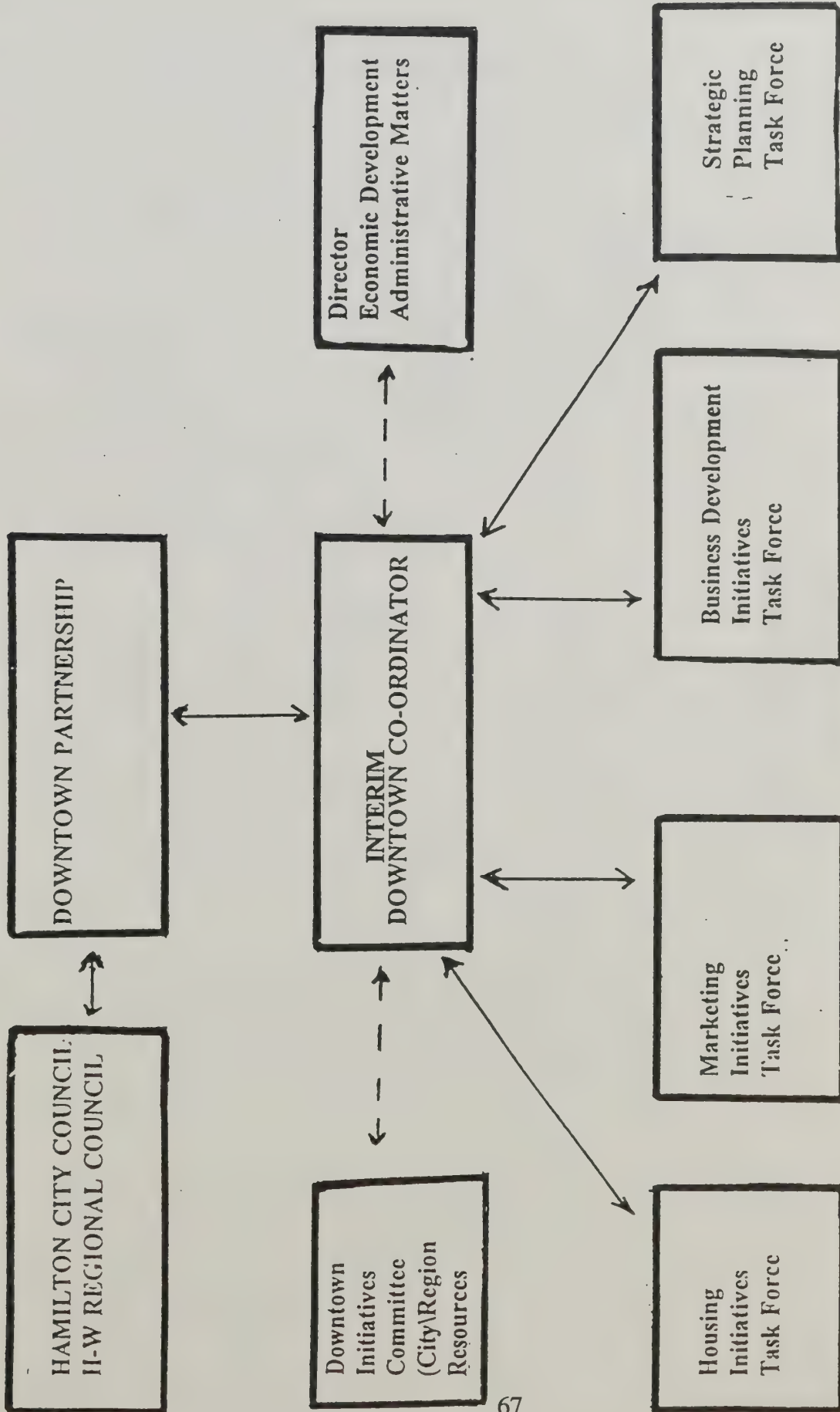
	Region	\$60,000	)
	City	\$60,000	)
**	Business &		
	Other Governments	\$60,000	)

\$180,000

** Private sector participation may entail in-kind services and/or products.

ORGANIZATIONAL CHART

1997 January 28

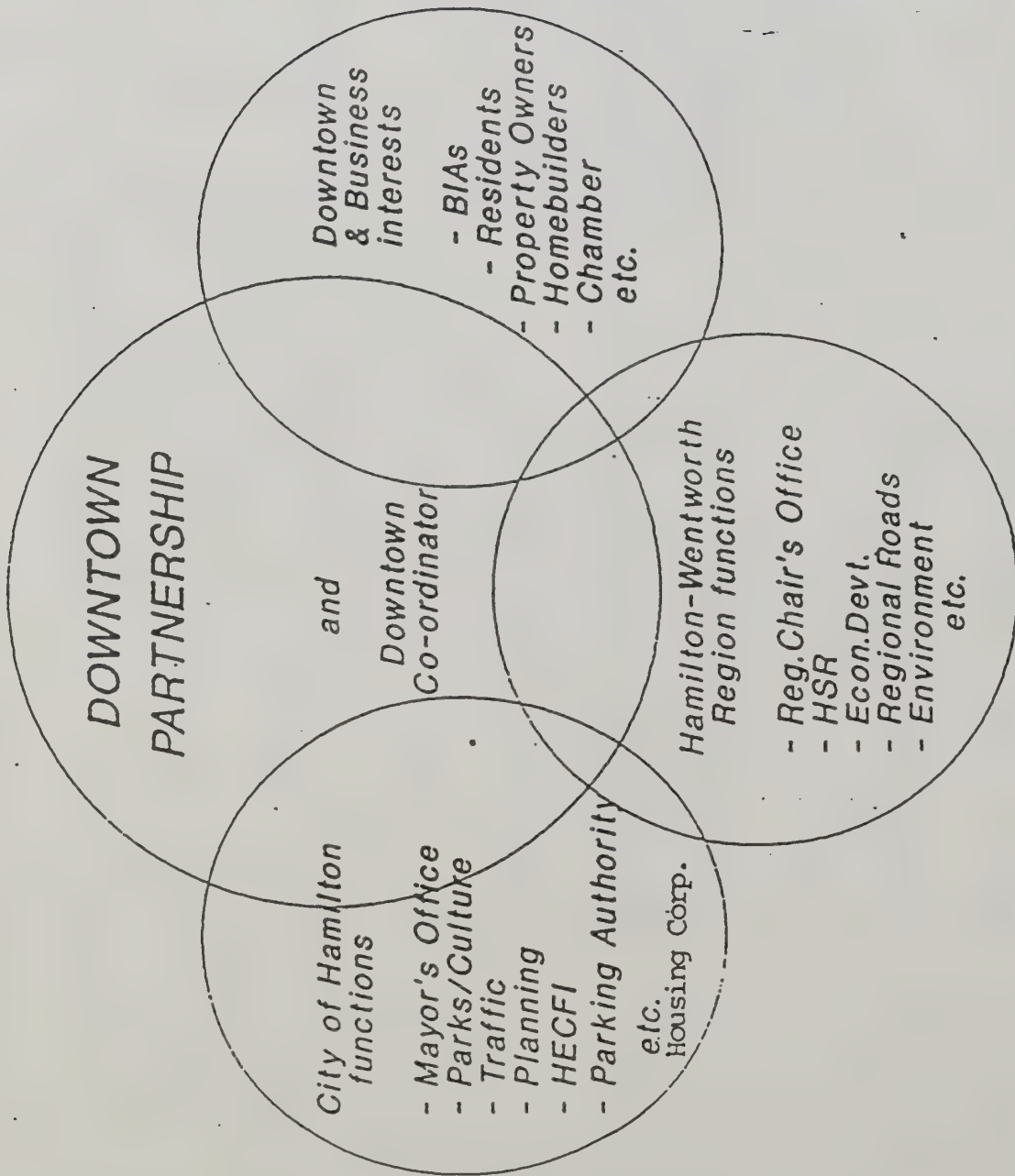


The Downtown Partnership would be composed of:

- a) The Chairmen of the Task forces (4)
- b) Private Sector members (7)

* The Mayor and Regional Chairman as ex-officio, non-voting observers

FUNCTIONAL CHART



CONCERNING ENVIRONMENTAL INVESTIGATIONS AND TAX SALES

BETWEEN:

THE MINISTRY OF THE ENVIRONMENT & ENERGY

(hereinafter referred to as the "Ministry")

-and-

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as the "City")

WHEREAS Rothwell Properties Inc. is the owner of the property located at 606 Aberdeen Avenue, Hamilton, ON, L8N 3K2 which may be described as Part of Lot 20, Concession 3, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, as more particularly set out in Schedule "A" attached hereto (the "property"). The property comprises fifteen (15) acres more or less, tenanted by various commercial and heavy industrial businesses.

AND WHEREAS the City has the statutory obligation pursuant to section 391 of the Municipal Act, R.S.O. 1990, C. M.45, to levy and collect realty taxes on behalf of the City and other public sector taxing bodies including the Regional Municipality of Hamilton-Wentworth and the school boards.

AND WHEREAS the owner of the property, Rothwell Properties Inc. is in default of payments of realty taxes, arrears, penalties, interests, and costs to the City, which default began in 1991 and has continued since that time.

AND WHEREAS the Municipal Act and the Municipal Tax Sales Act provide that realty tax arrears may be collected through action, distress, rent attornment as stipulated in the Municipal Act, and/or registration and sale of property as set out in the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, as amended (hereinafter referred to as the "MTSA").

AND WHEREAS A Tax Arrears Certificate, in accordance with section 3(1) of the MTSA was registered in the Land Registry Office of Hamilton-Wentworth as Instrument No. VM217819 on September 21st, 1995 on title to the property.

AND WHEREAS pursuant to section 9 of the MTSA the City Treasurer shall advertise and sell the property should the Cancellation Price, defined by the MTSA as "an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon and all reasonable costs incurred by the municipality...", not be paid to the City Treasurer on or before September 20th, 1996. The Cancellation Price has not been paid.

AND WHEREAS Phase I and II audits have been performed on behalf of the former Receiver-Manager, BDO Dunwoody Ltd., by Proctor and Redfern Limited in November 1990 and March 1991 respectively. Said environmental audits disclose the following environmental conditions, which may or may not be limited to:

1. exposed asbestos containing material identified on pipe and tank insulation;
2. waste water discharge contains elevated concentrations of phosphorus and fluoride;
3. existence of sludge and liquid residue in historic electroplating pits;
4. existence of heavy metals and arsenic found in girder and duct dusts;
5. shallow, low level but widespread arsenic and heavy metal soil contamination exceeding MOE Decommissioning Guidelines, as indicated by Proctor and Redfern Limited;
6. transformers on the property contain PCB concentrations of less than 50 parts per million which amounts, Proctor and Redfern Limited stipulate, do not constitute waste as defined by Ontario Regulation 11/82.

AND WHEREAS the Ministry has confirmed by letter to the City dated April 22nd, 1996 that no "Active Orders" are outstanding after a search of the Hamilton District Index Record of Active Orders under the Environmental Protection Act, Ontario Water Resources Act, and the Pesticides Act in respect of the property.

AND WHEREAS, in the context of such tax sale process, should a successful purchase of the property not occur at tax sale and/or the Cancellation Price not be tendered at tax sale, the City shall, pursuant to subsection 9(3)(b) be vested with the property, and accordingly would take possession with the intention of expedited sale of the property. Before proceeding in this manner, the City wishes to enter into an agreement (the "Agreement") with the Ministry in order to set out the terms under which such vesting and possession would take place.

AND WHEREAS at its meeting of *****, 1997, City Council authorized the said Agreement by adopting Item *** of the **** Report of the Finance and Administration Committee.

The terms and conditions of the Agreement are as follows:

1. (a) In this Agreement, unless something in the subject matter or context is inconsistent therewith, the term "City" means its officers, employees and agents and shall include any real estate agent, environmental consultant, property manager or the like retained by the City in the context of the MTSA sale process and the directors, officers, employees and agents thereof while acting on behalf of the City.
- (b) "Environmental Laws" means the Environmental Protection Act, R.S.O. 1990, E.19, and the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as these acts may be amended and in force from time to time, and any regulations, rules or guidelines issued under or in connection with such laws.
- (c) "Responsible Person" means, for the Property, the owner, occupant, person in charge, person responsible, person in possession, person having charge, management or control, or the like.
2. The City shall not be, and shall not be deemed to be, a Responsible Person under the Environmental Laws with respect to the property or any other real or personal property (including any contaminant, source of contaminant, pollutant or other hazardous or regulated substance), or be made subject to any order, directions, requirements, decisions, proceedings or the like under Environmental Law, with respect to any environmental contamination or other environmental problem, or any violation of Environmental Laws, that has already occurred, or is already in existence at the date of this agreement by reason of:
 - (a) having (in its sole discretion and in its capacity as a municipality) entered upon or taken any action in its capacity as municipality with respect to the Property in order to:
 - (i) conduct, complete or confirm any investigation of any kind, whether or not intrusive or in one or more stages, into the environmental or other conditions of the Property,
 - (ii) preserve or protect the value of the Property, including but not limited to any steps required (a) to maintain public utility services, heat, maintenance services or security for the Property or to keep the Property insured or (b) to deal with

any immediate danger, or threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the property of any contaminant, pollutant or other hazardous or regulated substance, or

- (b) collecting of rents, seizure of chattels or commencing, conducting or completing a public sale of the Property for the collection of realty tax arrears pursuant to the Municipal Tax Sales Act,
- (c) taking any other actions or steps with respect to the Property to which the Ministry may agree from time to time, which agreement will not be unreasonably withheld.

- 3. This Agreement will enure to the benefit of and be binding upon the City and the Ministry.
- 4. The City represents that in the past it has not had direct management, control, ownership or possession or any similar interest in the property, other than those interests of a municipality.
- 5. The City shall, prior to conducting the tax sale as provided by section 9 of the MTSA, or, if vested with the property, entering into an agreement with respect to the sale of the property, make available to any prospective purchaser or tender applicant of the property a copy of all environmental reports and any other information about any material environmental problem at or relating to the property which are now or in the future in the possession or control of the City, which information shall include a copy of this agreement. For greater certainty, sale of the property shall include any transfer of possession of the property by leasing or otherwise, and any transfer of ownership of the property. In addition, it is understood that in this Agreement "purchaser" includes any tenant, licensee, or any other person to whom the property or the City's interest may be assigned or transferred.
- 6. The City will notify the Ministry in writing,
 - (a) forthwith if it becomes aware of any immediate danger, or any threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the Property of any contaminant, pollutant or other hazardous or regulated substance, or
 - (b) if it determines, by reason of any adverse environmental condition existing at or with respect to the Property, not to take any further actions or steps for the purposes described in Section 2 of this Agreement with respect to the Property. Any notice, under this clause, with respect to steps commenced under Section 2(a)(ii), will be given at least 14 days before the termination of such steps.

7. Failure to give notice under section 5 or 6 will not result in the loss of any rights or protection which the City has acquired under this Agreement with respect to the Property or otherwise.
8. When requested by the Regional Director the City will provide the Ministry with copies of any reports prepared as a result of any environmental investigation the City conducts with respect to the property and any other information that is now or in the future in its possession or under its control or capable of obtaining by reasonable efforts which will assist the Ministry in administering environmental laws with respect to Rothwell Properties Inc. and the property.
9. Nothing in this Agreement exempts the City from any duty it may have under Environmental Laws to provide any notice or make any disclosure, or from any responsibility under Environmental Laws for any discharge or spill of any contaminant, or the deposit of any waste, on the property, which is caused or aggravated directly by the City, but any such responsibility is limited to the extent of the cause or aggravation.
10. Either party may terminate this Agreement for any reason upon prior written notice to the other party. The Ministry may give notice to the City only up and until the date of the first advertisement in the local newspaper, "The Hamilton Spectator". If the Ministry gives such notice of termination, termination shall take effect upon the thirtieth (30th) day following the City's actual receipt of such notice. If the City gives the notice of termination, however, termination shall be effective immediately upon the Ministry's actual receipt of the notice, except where 14 days notice is required under Section 6(b), in which case termination shall be effective when notice has been so given. Termination will not affect any rights or protection acquired by the City under this Agreement with respect to (a) entry upon the Property in reliance on this Agreement prior to the effective date of termination or (b) any actions or steps taken or begun prior to the effective date of termination, for any of the purposes described in Section 2 of this Agreement. A fax confirmation sheet or mail or messenger service receipt will be conclusively deemed to be proof of actual receipt of notice of termination under this Agreement.
11. Notwithstanding any other provision of this Agreement, the right and protection of the City acquired under this Agreement only apply with respect to the activities of the City undertaken before the 180th day following a public sale of the property. This time period may be extended from time to time but only by notice in writing signed by the Ministry.

12. This Agreement does not affect the rights or obligations of third parties.
13. Nothing in this Agreement constitutes a commitment by the Ministry not to prosecute a person in the event that person commits an offence under the Environmental Laws.
14. This Agreement constitutes the entire agreement between the City and the Ministry with respect to the subject matter hereof. There are no prior understandings or agreements between the parties hereto with respect to the subject matter hereof. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory between the City and the Ministry other than as expressly set forth in this Agreement.
15. This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.
16. Notwithstanding any other provision in this Agreement, the Ministry retains the authority to issue orders which have as their purpose requiring or enabling the City to implement the provisions of this Agreement.

DATED this day of January, 1997.

THE MINISTRY OF THE ENVIRONMENT & ENERGY

****, Regional Director

THE CORPORATION OF THE CITY OF HAMILTON

Robert M. Morrow, Mayor

J.J. Schatz, City Clerk

REPORT OF THE BINGO HALL REVIEW COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Bingo Hall Review Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. (a) That the Relocation Application of Cameron & Johnstone Ltd. to relocate the Delta Bingo Hall from 1124 Main Street West to 43 King Street East be approved for the following reasons:
 - i) The application for relocation complies with the requirements as outlined in the Provincial Criteria and Procedures for Bingo Halls,
 - ii) The new site complies with the City's Zoning By-law and all other Municipal By-laws,
 - iii) The relocation of the existing bingo hall will be to a renovated facility which will have separate heating, ventilation and air conditioning systems, for both non-smoking and smoking bingo patrons,
 - iv) The Delta Bingo Sponsor's Association unanimously support the application for relocation,
 - v) There will be no loss of charity proceeds to the affected charitable organizations inasmuch as there will be no down time (one hall will open as the other closes),
 - vi) This application is for the relocation of an existing Class "A" Bingo Hall and will not increase the total number of bingo halls in the City which stands at four (4),
 - vii) The relocation to the new site will not adversely affect the market area of the other existing bingo halls,
 - viii) No objections have been received from businesses and residents in the immediate area; and,

- (b) That, as required in the Provincial Criteria & Procedures for Bingo Halls, the City Clerk inform the applicant in writing of the decision and forward the decision to the Registrar, Gaming Control Commission, Ministry of Consumer & Commercial Relations.

Copies of the application, letters of objection and relevant information are available from the Bingo Hall Review Committee Secretary.

- (c) That approval be subject to design controls on the exterior of the building in order to be compatible with surrounding businesses in the downtown core.

ADDED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15

NAYS: Aldermen Copps, D'Amico. -2.

CARRIED.

RESPECTFULLY SUBMITTED

**ALDERMAN D. WILSON
CHAIRPERSON
BINGO HALL REVIEW COMMITTEE**

Stella Glover
Secretary

1997 January 13

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the following Members of City Council be nominated to serve on the Hamilton Health Sciences Corporation for a one year term of office:

Alderman M. Caplan

Alderman F. D'Amico

Alderman B. Morelli

Alderman D. Drury

2. That the following Member of City Council, being one of the nine Members of City Council nominated to serve on the Hamilton Health Sciences Corporation in Section 1 above, be nominated to serve on the Nominating and Governance Committee of the Hamilton Health Sciences Corporation for a one year term of office:

Alderman F. D'Amico

Respectfully submitted,

Mayor R. M. Morrow, Chairman
Nominating Committee

J. J. Schatz, Secretary
1997 January 28

1997 February 11

URBAN MUNICIPAL

FEB 21 1997

Minutes of Hamilton City Council

Tuesday, 1997 February 11

7:30 o'clock p.m.

Council Chamber, City Hall

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

ADOPTION OF MINUTES

The minutes of the meeting held 1997 January 28 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented a Certificate of Recognition to Mr. and Mrs. Jim Byrnes for their financial contribution of \$25,000 to the City of Hamilton Fire Department.

CORRESPONDENCE

1. Facsimile dated 1997 February 1 from Mr. Wayne Marston, President, The Hamilton and District Labour Council, 1130 Barton Street East respecting Bill 99 - Municipal Expenditures.

Referred to the Finance and Administration Committee.

2. Application dated 1997 December 16 from First Place Hamilton, 350 King Street East, Suite 208 for a modification to the "CR-3" (Commercial - Residential) District for 350-360 King Street East, Hamilton, Ontario.

Received

3. Application dated 1997 February 4 from Investonics Limited, c/o Rein Reso for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District for 100 Locke Street South.

Received

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT

Section 13 Re: Appendix "A" revised.

It was moved by Alderman Merling and seconded by Alderman Anderson that Appendix "A" of Section 13 of the Second Report for the Transport and Environment Committee for 1997 be deleted and replaced with the revised Appendix "A" as follows:

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year /Annual Fee</u>	<u>File Number</u>
East Avenue North	249 East Avenue North	F. and W. Rodojewski	Landscaping measuring 13.1m x 4.571m	\$138/\$20	T103 50 (1271)
Augusta Street	121 Augusta Street Network of Hamilton	The Community Adolescent	Trees and concrete curbs	\$138/\$20	T103 50 (1219)
Mary Street	301 Mary Street	M. Jazvac	Veranda measuring .36m X 9.14m	\$138/\$20	T103 50 (1267)
Bay Street	260 Bay Street North	M. and H. Duarte	Concrete steps measuring 0.146m X 0.91m	\$138/\$20	T103 50 (1249)
Bay Street & Strachan Street	325 Bay Street North	R Stiles	Portion of building measuring 14m x 0.5m on Bay St and 6.5m x 2m on Strachan St	\$138/\$20	T103 50 (1288)
Catharine Street	81 Charlton Avenue East	D. Vranich	Key pedestal measuring 0.3048m sq., 5 trees, 3 concrete curbs measuring 4.0m x 0.15m, a concrete walkway measuring 4.0m x 1.0m and 4 planting beds measuring in total 13.30m x 0.65m	\$232/\$20	T103 50 (1258)

CARRIED.

* * * * *

Section 18 Re: Extension of Elmore Drive - 1472 and 1496 Upper Gage Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico.
-15

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SECOND REPORT

Section 2 Re: City Initiative 91-I - Mobile Signs on private property

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

* * * * *

Section 9(b) Re: Bill C-11: A By-law to Regulate the Size, Use, Location and Maintenance of Mobile Signs on Private Property within the City of Hamilton.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SECOND REPORT

Section 2 Re: Hamilton Corporate Challenge

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Copps, Wilson. -2. **CARRIED.**

* * * * *

Section 3 Re: 1342 Stone Church Road East - Bell Canada - Conflict of Interest

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is employed by Bell Canada.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:05 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 February 11
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 88 of the Registry Act, R.S.O. 1990, for an order to stop-up, close and sell the unopened road allowance of Dulgaren Street from the future east limit of Eaglewood Drive easterly for 62 metres; and,
- (b) That the Senior Director, Roads Department be directed to sign an affidavit setting out that no public funds have been expended on the portion of road allowance to be closed; and,
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City of Hamilton Law Department; and that the applicant be responsible for all fees payable in District Court; and,
- (d) That the Applicant, prepare and register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and,
- (e) That the Senior Director, Roads Department authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act R.S.O. 1990; and,

Provided the Judge's Order to close the unopened road allowance is granted:

- (f) That the Senior Director, Roads Department be directed to prepare a by-law for the sale of the closed unopened road allowance to the abutting owner; and,

- (g) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law; and,
 - (h) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.
-
- 2. That a "No Parking, 11:00 a.m. to 3:00 p.m., 3rd Tuesday of each month April to November" regulation be implemented on the west side of Fairleigh Avenue North between King Street East and Wilson Street and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 3. That a "No Parking" regulation be implemented on the north side of St. Joseph's Drive commencing at a point 332 feet east of John Street South and extending to a point 30 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 4. That a "No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the south side of Coronation Avenue commencing at Parkdale Avenue South and extending to a point 88 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 5.
 - (a) That the existing "No Parking" regulation on the north side of Rennie Street between Parkdale Avenue North and Woodward Avenue be revised to allow unrestricted parking on the north side from a point 54 feet east of Tate Avenue to a point 94 feet easterly therefrom; and,
 - (b) That a "No Stopping" regulation be implemented on the north side of Rennie Street commencing at Tate Avenue and extending to a point 54 feet easterly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
 - 6. That eastbound and westbound traffic on Terni Boulevard/Cadham Boulevard be required to stop for southbound traffic on Upper Gage Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That the application of Karel Bozdech, owner of Bozdech Steam Baths, No. 12 Holton Avenue North, to execute a new boulevard parking agreement be approved, provided that:
 - (a) the applicant discharges the existing residential boulevard parking agreement registered as Instrument No. 436170 C.D. at the property owner's expense; and
 - (b) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is \$62.40 per space for the first two spaces and \$33.21 per space for any additional spaces per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (c) the owner pays a one-time \$50 registration fee, as approved by the City Council on 1986 January 14; and,
 - (d) the owner pays a one-time \$219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
 - (e) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
 - (f) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,
 - (g) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
8. That the existing parking meters on both sides of Robert Street between James Street North and Hughson Street North be changed from one hour to two hours in duration and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the application of Henry and Anna Petz, owner of the five-unit apartment at No. 343 Hunter Street West, to execute a commercial boulevard parking agreement be approved, provided that:
 - (a) the applicant discharges the existing residential boulevard parking agreement registered as Instrument No. 34351 C.D. at the property owner's expense; and,

- (b) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is \$62.40 per space for the first two spaces and \$33.21 per space for any additional spaces per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (c) the owner pays a one-time \$50 registration fee, as approved by the City Council on 1986 January 14; and,
 - (d) the owner pays a one-time \$219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
 - (e) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
 - (f) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,
 - (g) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
10. (a) That a School Crossing Guard be assigned to the intersection of Cannon Street East and Lottridge Street during the morning and evening school crossing periods only; and,
- (b) That said assignment be subject to the approval of an expansion package totalling approximately \$4,000, plus administrative costs, which will be presented during the 1997 Current Budget Deliberations.
11. (a) The following City land be incorporated into the following street:
- Acadia Drive Block 53, 58 and 59 Plan 62M-743; and,
- (b) That the by-law to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

12. That the application of the Ministry of Environment and Energy, to maintain the encroachment of an Air Quality Station, encroaching by approximately 3m x 2.5m over the road allowance of Vansitmart Avenue, be approved, subject to the following:

That the Ministry of Environment and Energy provide proof of \$2,000,000 public liability insurance, naming the City and Region as added insured parties, saving the City and Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

13. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved, provided:

- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments. **REVISED.**

14. (a) That the submitted schedules of works be adopted for inclusion in the Modified Subdivision Agreement with the Owner for the estimated costs of services in:

City of Hamilton Land Severance Applications B-96:2 and B-96:3

City's Share, \$ - NIL -, Owner's Share, \$45,675.57; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement between the City and the Owner of the lands under the City of Hamilton Land Severance Applications B-96:2 and B-96:3, as well as any other related documents for this development subject to the approval of the City Solicitor; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the necessary deeds have been endorsed; and,

- (d) That in the event that the Owner wishes to proceed prior to the endorsement of their deeds and Modified Subdivision Agreement being registered, the Owner should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
- 15. (a) That the City's "Flat Rate Fee" for the recovery of outstanding City of Hamilton municipal servicing costs along 0.30 metre reserves, be adjusted from the present rate of \$300 per metre of property frontage and/or flankage to \$330 per metre of property frontage and/or flankage for 1997; and,
 - (b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1997 along 0.30 metre reserves after adoption of the proposed rate in sub-section (a) above.
- 16. (a) That the proposed 1997 Road and Sidewalk Capital Improvement Programme in the amount of \$7,371,000 attached hereto as Appendix "B", be approved; and
 - (b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received; and,
 - (c) That the Commissioner of Transportation be authorized on an interim basis to proceed with the calling of tenders for projects in the Programme up to a maximum of \$5,000,000 prior to the final Capital Budget approval.
- 17. That the Commissioner of Public Works and Traffic be directed to eliminate the requirements for boulevards on Jacqueline Boulevard, in the "Allison Estates - Phase 1" subdivision.
- 18. That, in order to acquire two parcels of vacant land for highway and municipal purposes to complete the extension of Elmore Drive, and in accordance with the Expropriations Act, the City Clerk be authorized and directed to undertake the following steps to commence expropriation of the said two lands, each measuring 33 feet by 100 feet and described as Parts 2 and 5, Plan 62R-11322, being rear portions of two properties known as Nos. 1472 and 1496 Upper Gage Avenue:
 - (a) give Notice of the City's application to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said lands; and,

- (b) advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and,
- (c) sign and receive the said application for approval of these expropriations.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico. -15

NAYS: Alderman Copps. -1.

CARRIED.

19. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-9 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-10 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-11 A By-law to Incorporate City Land Designated as Blocks 53, 58 and 59 on Plan 62M-743 into Acadia Drive
- (d) A-12 A By-law to Amend Local Improvement By-law No. 10605 respecting Revised Costs to the Corporation for the Installation of Local Improvements

Respectfully Submitted,

Kevin C. Christenson, Secretary

1997 February 3

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Revised

Appendix "A" as referred to in
Section 13 of the Second Report
of the Transport and Environment
Committee for 1997

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year /Annual Fee</u>	<u>File Number</u>
East Avenue North	249 East Avenue North	F. and W. Rodojewski	Landscaping measuring 13.1m x 4.571m	\$138/\$20	T103 50 (1271)
Augusta Street	121 Augusta Street	The Community Adolescent Network of Hamilton	Trees and concrete curbs	\$138/\$20	T103 50 (1219)
Mary Street	301 Mary Street	M. Jazvac	Veranda measuring .36m X 9.14m	\$138/\$20	T103 50 (1267)
Bay Street	260 Bay Street North	M. and H. Duarte	Concrete steps measuring 0.146m X 0.91m	\$138/\$20	T103 50 (1249)
Bay Street & Strachan Street	325 Bay Street North	R Stiles	Portion of building measuring 14m x 0.5m on Bay St and 6.5m x 2m on Strachan St	\$138/\$20	T103 50 (1288)
Catharine Street Avenue East	81 Charlton	D. Vranich	Key pedestal measuring 0.3048m sq., 5 trees, 3 concrete curbs measuring 4.0m x 0.15m, a concrete walkway measuring 4.0m x 1.0m and 4 planting beds measuring in total 13.30m x 0.65m	\$232/\$20	T103 50 (1258)

Appendix "B" as referred to in
Section 16 of the Second Report
of the Transport and Environment
Committee for 1997

1

CITY OF HAMILTON
1997 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Adair Avenue N & S	Queenston	Roxborough	-road resurface-sidewalk reconstruction -both sides -in conjunction with Regional sewer work	\$112,000
Argyle Avenue	Norman Carlisle	Frederick Agnes	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$221,000
Bromley Road	Seven Oaks	Holt	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$253,000
Cheryl Avenue	Upper Sherman	East 34th	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$230,000
Cumberland Avenue	Sanford	Wentworth	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$153,000
Dalewood Avenue	Main	King	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$222,000
East 14th Street	Bruce Dale	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$157,000

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
East 17th Street	Fennell	Vickers	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$319,000
East 37th Street	Crockett	Concession	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$143,000
Emerson Street	Main	Whitney	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$654,000
King William Street	Catharine	Victoria	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$523,000
Rutherford Avenue	Sanford	Wentworth	-road reconstruction-sidewalk and curb reconstruction -in conjunction with Regional sewer work	\$179,000
Selkirk Avenue	Main	Normanhurst	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$408,000
Stinson Street	Victoria	Wellington	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$172,000
Toby Crescent	Broker	Upper Kenilworth	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$650,000

3

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
West 31st Street	Scenic	Sanatorium	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$644,000
TOTAL SECTION A				\$5,040,000

B. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Glen Grove Street	Reid	Armstrong	-reconstruction-both sides -in conjunction with Regional watermain work	\$ 55,000
Rainbow Drive	Secord	Nash	-reconstruction and repair-both sides -in conjunction with Regional watermain work	\$264,000
Sunrise Drive	Heather	Orphir	-reconstruction and repair-both sides	\$188,000
TOTAL SECTION B				\$507,000

C. Miscellaneous

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch basin and drain connections in conjunction with Regional sewer projects	\$ 10,000
Pavement Management System - annual update	\$ 40,000
Provision for sidewalk reconstruction/repairs in conjunction with Regional road projects	\$ 50,000
Streetlighting - various locations	\$ 450,000
Hot-in-place asphalt recycling - various locations	\$1,200,000
Tree planting in conjunction with reconstruction projects	\$ 74,000
TOTAL SECTION C	\$1,824,000
GRAND TOTAL	\$7,371,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Ferguson Avenue North	King	King William	-road reconstruction-sidewalk reconstruction-both sides	\$300,000
Fernwood Crescent	Tenth	Ninth	-road reconstruction-sidewalk reconstruction-both sides	\$140,000
West 32nd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	\$100,000
West 33rd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	\$100,000
Franklin Avenue	Longwood	Parkview	-road reconstruction-sidewalk and curb reconstruction	\$219,000
East 22nd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$325,000
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides	\$421,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk repairs -both sides -in conjunction with Regional watermain work	\$448,000
East 38th Street	Mohawk	Macassa	-road reconstruction-sidewalk reconstruction-both sides	\$452,000
Wise Crescent	Grenadier	Grenadier	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	<u>\$463,000</u>
TOTAL SECTION D				\$2,968,000

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That the City of Hamilton through the Building Department Housing and Loans Division, without prejudice, reimburse Mr. and Mrs. Mohammed of 261 Cranbrook Drive in the amount of \$2,875 which was payable through the former OHRPD programme plus \$200 for adjustments to the existing building modifications for a total of \$3,075 , and that the payment be subject to the Mohammed's signing a letter of release regarding the outstanding legal action.
2.
 - (a) That approval be given to City Initiative 91-I, to regulate mobile signs on private property in accordance with Section 21 Municipal Act, and that the By-law attached as Appendix "A" be forwarded to Council for approval; and,
 - (b) That the by-law be monitored for a six month period with a staff report to be brought back to the Committee at that time; and,
 - (c) That a staff report be brought back to the Committee in three months regarding actual recovery costs for the implementation and enforcement of the by-law as well as a review of permit fees for businesses and licensing for operators.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3.

CARRIED.

3.
 - (a) That the Public Works and Traffic Department be authorized to give to each Business Improvement Area in the City of Hamilton and the Sesquicentennial Celebrations Inc., 5 sesquicentennial banners free of charge ; and,

- (b) That the remaining sesquicentennial banners be sold at a cost of \$25 each, inclusive of G.S.T. ; and,
 - (c) That the revenue derived through the selling of the banners be credited to the account utilized to purchase same (Account Number CF 5698 428705099 - the Commercial Improvement Program).
4. (a) That approval be given to Zoning Application ZAC-96-12, 583783 Ontario Inc. (D. and F. Steller), owners, requesting a modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations (Block "1"), and a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations (Block "2") to permit the expansion of the existing residential care facility for seniors from 58 to 77 residents, for property at 10 Herkimer Street and 9 and 11 Charlton Avenue West, as shown on the attached map marked as APPENDIX "B", on the following basis:
- (i) That By-law Nos. 83-217 and 89-276, applicable to Block "2", be repealed;
 - (ii) The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593 applicable to Blocks "1" and "2", be further modified to include the following variances as special requirements:
 - (1) That notwithstanding Subsections 11A (1)(i) and 11(1)(iii) of By-law No. 6593, the following RESIDENTIAL USE shall be permitted:
 - (a) a residential care facility for the accommodation of not more than 77 residents, provided that said residents shall not be less than 60 years of age;
 - (2) That notwithstanding Section 11A(3)(ii)(b) of By-law No. 6593, there shall be provided and maintained:
 - (a) along the westerly lot line of Block "2", a side yard of not less than 1.26 m in width;
 - (b) along the northerly lot line of Block "2", a side yard of not less than 4.5 m in width;

- (c) along the westerly lot line of Block "1", a side yard of not less than 3.05 m in width;
 - (d) along the northerly lot line of Block "1", a front yard of not less than 3.05 m in depth; and,
 - (e) along the easterly lot lines of Blocks "1" and "2", a side yard of not less than 2.52 m in width;
- (3) That Section 11A(7) of By-law No. 6593 shall not apply;
- (4) Notwithstanding Section 18A(9) and (10), a portion of the required manoeuvring space for the parking on Block "1" shall be provided on No. 15 Charlton Avenue West;
- (5) That notwithstanding Section 18A of By-law No. 6593, not less than ten (10) off-street parking spaces shall be provided and maintained on the site;
- (iii) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S-832b and that the subject lands on the Zoning District Maps W5 and W6 be notated S-832b;
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W5 and W6 for presentation to City Council;
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (vi) That the Durand Neighbourhood Plan be amended by redesignating Block "1" from "Commercial and Apartments" to "Medium Density Apartments".
- (b) That the amending by-law not be forwarded to Council until such time as the applicant submits a servicing study, including capacity calculations, outlining details regarding the demand the proposed development will place on the existing sewers, and provide verification that this demand will be adequately accommodated by the system to the satisfaction of the Manager of Development of the Regional Environment Department.

5. (a) That Schedule "B" of By-law No. 96-190, appointing the Westdale Village B.I.A. Board of Management be repealed and the following substituted:

SCHEDULE "B"

D. Upsdell	Westdale Jewellers Ltd.
S. Snider	The Picture Frame
M.B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoes Ltd.
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
C. Gerrie	Journey to the East
K. Patterson	Oddities II
D. Thorne	Truth
B. Davison	Design House Inc.
J. Mouskos	New Village Restaurant

- (b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 96-190 pursuant to (a) above.
6. That the City of Hamilton's Public Works and Traffic Department, in conjunction with The Keep Hamilton Clean Committee, hold The Ninth Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of \$2,500.
7. That the Building Commissioner be authorized to issue a demolition permit for 1232 Upper Gage Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
8. That a loan under the Downtown Convert/Renovate-to-Rent Loan Program in the amount of forty-eight thousand dollars (\$48,000) to Elia and Antonio DaSilva, carrying on business as 452031 Ontario Inc., for conversion of 120 John Street North into 16 residential units be approved, subject to the following:
- (a) Fulfilment of the borrowing requirements of the Downtown Convert/Renovate-to-Rent Loan Program; and,
- (b) Approval by the Ministry of Municipal Affairs and Housing of the Downtown Community Improvement Plan.

9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-10 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located South of Kordun Street and West of Upper Paradise Road.
- (b) C-11 A By-law to regulate the Size, Use, Location and Maintenance of Mobile Signs on Private Property within the City of Hamilton.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 February 5**

Bill No. C-
The Corporation of the City of Hamilton

BY-LAW NO. 97-

**A BY-LAW TO REGULATE THE SIZE, USE, LOCATION
AND MAINTENANCE OF MOBILE SIGNS ON PRIVATE
PROPERTY WITHIN THE CITY OF HAMILTON**

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof,

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic,

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape,

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes,

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law,

NOW THEREFORE the Council for The Corporation of the City of Hamilton ENACTS as follows:

ADMINISTRATION AND GENERAL PROVISIONS

Definitions

1. In this By-law,

- (a) "agent" means a person designated by another person to act on his behalf;
- (b) "applicant" means a person applying for a mobile sign permit under this By-law;

- (c) "business" means any one activity, dealing, occupation or trade of either a commercial, industrial or professional endeavour as carried out or engaged in, at an establishment;
- (d) "Chief Building Official" means the person appointed by the Council as the Chief Building Official for the City of Hamilton and includes his designate;
- (e) "City" means the City of Hamilton in the Regional Municipality of Hamilton-Wentworth;
- (f) "commercial district" means property that is zoned commercial as defined under City of Hamilton Zoning By-law 6593 as amended;
- (g) "commercial or industrial complex" includes a shopping centre, shopping mall, shopping plaza, strip plaza, mall or place and is a group of three or more commercial uses excluding professional and administrative offices;
- (h) "Corporation" means The Corporation of the City of Hamilton;
- (i) "Council" means the Council for The Corporation of the City of Hamilton;
- (j) "daylight triangle" means an area of a corner lot which is determined after the side lot line adjacent to the street and the street lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance of 9.0m, along each lot line and joining such points with a straight line. The triangularly-shaped land between the point of intersection of such lot lines and the straight line joining the points at the designated distance along each such lot line shall be known as the "daylight triangle";
- (k) "downtown core" means the area shown on Schedule "A" of this By-law;
- (l) "electronic variable message centre (EVMC)" means an illuminated sign or part thereof which is computer controlled and which displays information to the public or attracts attention to the message by way of a pre-arranged or variable sequence of electronically generated letters, words, light patterns or shapes;
- (m) "erect" includes the placing of, arranging for the placing of, the renting of, or the leasing of;
- (n) "flashing mobile sign" means a mobile sign equipped with an intermittent or flashing light source;
- (o) "street lot line" means the line that divides a lot from a street, but not a lane or alleyway;
- (p) "grade" means the average level or elevation of the finished surface of the ground adjoining a building at all of the exterior walls or the mobile sign structure at the point of contact with the ground but shall not include any artificial embankment or planter box;
- (q) "hiatus period" means a time period equal to fifteen (15) days. A hiatus period shall follow the placement of each and every mobile sign on a property in accordance with this by-law;

- (r) "illumination" means lighting of the sign, in whole or in part by artificial means. Internal illumination means lighting the sign face with a light source located within the sign; external illumination means having a light source exterior to the sign and on, or directed at the sign, and flashing illumination means illumination that varies and is perceived to vary in intensity or design at periodic intervals;
- (s) "industrial district" means property that is zoned industrial and defined under City of Hamilton Zoning By-law 6593 as amended;
- (t) "message board" means that part of a sign on which the copy, characters, symbols or letters used to create the sign message are displayed, and "display surface" shall have a similar meaning;
- (u) "mobile sign" means a sign mounted on a trailer or other free standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;
- (v) "mobile sign permit" means a mobile sign permit issued by the Chief Building Official or his designate pursuant to the provisions of this By-law for the legal display of a mobile sign;
- (w) "motorized vehicle" means an automobile, truck, motorcycle or similar self-propelled means of transport but does not include a trailer;
- (x) "multiple address location" means a location where two or more municipal addresses are contained in the same commercial or industrial complex or place;
- (y) "permit holder" means a person who holds a valid mobile sign permit issued under this By-law;
- (z) "person" means an individual, firm, corporation, association, business or partnership and includes an owner and lessee of a property;
- (aa) "premises" means specific property, and includes all buildings and accessory structures thereon;
- (bb) "property" means and refers to the location where a sign is to be positioned for display, or is displayed, or can be a reference to a specific street address of a business and includes a multiple address location;
- (cc) "Regional Council" means the Council for The Regional Municipality of Hamilton-Wentworth;
- (dd) "sign" means any medium or device including its structure and other component parts which is used or capable of being used to attract attention to a specific matter other than itself, for identification, information, business promotion or advertising purposes;
- (ee) "sign area" means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the sign;

- (ff) "sign height" means the vertical distance measured from the proposed or finished grade immediately below the sign to the highest extremity of the sign including the border or frame; and,
- (gg) "unsafe sign" means a sign which is either structurally unsafe, or which constitutes a fire or safety hazard, or impedes the movement of vehicular or pedestrian traffic, or which would otherwise constitute a risk to the safety of persons or premises.

Administration

- 2. The Chief Building Official or his designate shall:
 - (a) receive and process all applications for mobile sign permits required under this By-law;
 - (b) administer the issuance of mobile sign permits in accordance with provisions of this By-law;
 - (c) maintain and keep records of all applications received for mobile sign permits and records of all mobile sign permits issued;
 - (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

Mobile Sign Permits

- 3. No person or his agent shall erect, display or otherwise use a mobile sign, without first obtaining a mobile sign permit as provided by this By-law.
- 4. A person or his agent, may obtain a mobile sign permit if:
 - (a) he completes an application form provided by the Chief Building Official or his designate;
 - (b) he files, as may be required by the Chief Building Official, in duplicate, a sketch of sufficient detail and quality as is necessary to ascertain whether or not the mobile sign will be in compliance with this By-law with accurate measurements of distances showing the intended location of the mobile sign and from that location the:
 - (i) distance to the nearest street lot line;
 - (ii) distance to the nearest edge of pavement of the nearest roadway;
 - (iii) distance to the nearest edge of pavement at the intersection of two or more streets;
 - (iv) distance to the nearest edge of the nearest mobile sign;
 - (v) distance to the nearest edge of a building;
 - (vi) distance to the nearest residential property; and

- (c) he files, as may be required by the Chief Building Official, measurements of the size of the mobile sign and it's supporting framework.
- 5. The number of days that a mobile sign is erected or displayed, shall be determined from the date and including the day of permit issuance, or date of erection if the mobile sign was erected prior to permit issuance.
- 6. The Chief Building Official or his designate may require a person, or his agent to provide proof of interest either as a lessee, renter, tenant or owner of the property on which the mobile sign is to be located, and/or a legal survey of the property on which the mobile sign is located or is intended to be located.
- 7. At any one property a maximum of two (2) mobile signs may be erected at any one time provided that there is a minimum distance of 30 meters between each mobile sign on the same property in accordance with Section 8.
- 8. No mobile sign permit shall be issued for a property at a municipal address or location where a hiatus period has not transpired.
- 9. No person shall make application for a mobile sign permit who is not the owner, or the authorized agent of the owner of the property on which the mobile sign is to be placed.
- 10. No person, or his agent shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a mobile sign permit, or revision thereto.
- 11. No person, or his agent shall apply for or receive mobile sign permits which total more than 360 days for any property within any one (1) calendar year in accordance with sections 7 and 8 above.
- 12. Applications will be processed in order of date and time received but no permit will be issued for a property which already has a mobile sign permit and until that mobile sign permit and hiatus period have expired.
- 13. A person or his agent or a permit holder may erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign where the sign is not in the "downtown core" (as defined on Schedule "A" to this By-law) and:
 - (a) is located on property which is zoned as:
 - (i) a "commercial district" including:

1. the "G" Districts including "G", "G-1", "G-2" and "G-4" [except "G-3" (Public Parking Lot) District]; and
 2. the "H" and "HH" Districts; or
- (ii) an "industrial district" including:
1. the "J" and "JJ" Districts;
 2. the "K" and "KK" Districts; and
 3. the "M" Districts, including "M-11", "M-12", "M-13", "M-14", and "M-15";
- (b) notwithstanding (a) above, is located in a City owned park and is being used in conjunction with a City of Hamilton or Regional Council approved special event;
- (c) is in good repair and has not become unsafe, unsightly or dangerous;
- (d) is situated at grade;
- (e) where it is electrically illuminated, has Ontario Hydro safety code approval;
- (f) where it is utilizing electrical power, uses only an electrical cord that has C.S.A. approval;
- (g) is located on private property and is not located on a road allowance;
- (h) where it is located within 100 feet (30.5 metres) of a residential zone, is equipped with a timer to turn off the light source in order to eliminate any annoyance to persons in the adjoining residential zones between the hours of 10:00 P.M. and 8:00 A.M.;
- (i) has the name and telephone number of the owner of the mobile sign affixed to the mobile sign at a clearly visible location;
- (j) has not greater than 5.6m² of sign area per face with no one dimension greater than 2.4m; and
- (k) has a sign height that does not exceed 2.4m.
14. No person, or his agent or permit holder, shall erect, permit to be erected, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign on lands or buildings owned, rented, leased or occupied by them:
- (a) for more than 60 consecutive days;
 - (b) for more than 180 calendar days per year;
 - (c) on a property where a previous mobile sign permit has expired and no further permits are available in accordance with subsections (a) and (b) above;
 - (d) the content of which would indicate a contravention of any zoning or other by-law, Act or regulation enforceable in the municipality;
 - (e) contrary to the approved location on a sketch, and contrary to information on the application, in respect of which the mobile sign permit was issued;

- (f) so as to obstruct openings required for light and ventilation, any required means of egress or required access for fire fighting;
- (g) at any location where the sign obstructs the sightlines and view or any unimpeded mobility of any pedestrian or driver of a motor vehicle or obstructs the visibility of any traffic sign or device;
- (h) which obstructs or otherwise interferes with an exit door or fire escape, fire exit route, fire hydrant, or yard hydrant so as to prevent or impede the free access of emergency vehicles and personnel to emergency equipment or to any part of a building requiring such access;
- (i) which obstructs or otherwise impedes the parking of a motor vehicle or is situated in a required parking or manoeuvring area;
- (j) with electrical wiring in the path of vehicular or pedestrian traffic;
- (k) which has flashing or moving lights;
- (l) which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion;
- (m) which in whole, or in part is an electronic variable message centre;
- (n) which emits illumination resembling an emergency light or traffic regulating device;
- (o) prior to the issue date set out in the mobile sign permit;
- (p) which would be an unsafe sign;
- (q) within 50 feet (15 metres) of the closest edge of the nearest mobile sign;
- (r) within 30 feet (9 metres) of the intersection of two streets;
- (s) within 50 feet (15 metres) of a residential district;
- (t) where the setback from property lines to the mobile sign is less than 1.5 metres;
- (u) where the mobile sign is elevated on any temporary or permanent object which is being used as the base for a mobile sign or part of a mobile sign structure;
- (v) where the property is zoned anything other than that indicated in section 13;
- (w) where the property on which the mobile sign is located is zoned "residential";
- (x) where the property on which the mobile sign is situated is located, in the downtown core as shown on Schedule "A" of this By-law;
- (y) where two mobile sign permits have already been issued for the property and have not expired;
- (z) where a hiatus period has not expired;
- (aa) where the mobile sign would not comply with this or any other by-law;
- (bb) which has more than two sign faces or any one sign face which exceeds 5.6m² in area or has any one dimension that is greater than 2.4m;
- (cc) which has a maximum height measured from grade greater than 2.4m; and

15. A person or his agent shall place the mobile sign at the municipal address of the person named on the application.

16. The permit fee as set out in Schedule "B" shall be submitted with each application for a mobile sign permit.
17. The permit fee as set out in Schedule "B" does not apply to an application for a Council or Regional Council approved special event.

REVOCATION OF A PERMIT

18. A mobile sign permit may be revoked by the Chief Building Official or his designate under the following circumstances:
 - (a) where the mobile sign does not conform to this By-law and amendments thereto;
 - (b) where the mobile sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
 - (c) where the mobile sign permit has been issued as the result of false, incorrect or misleading statements;
 - (d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

VARIANCES

19. (a) Where the applicant or person in control of a sign for any reason is unable to comply with the provisions and regulations under this by-law, such person may apply to the Council for a minor variance from the provisions and regulations of this by-law.

The Council shall hear all such applications and may authorize minor variances from the provisions and regulations of this by-law.

- (b) All applications for a minor variance shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of three hundred dollars (\$300.00). The variance fee shall not be refundable.

PENALTIES AND ENFORCEMENT

Removal of Illegal Mobile Signs

20. (a) When a mobile sign is erected or displayed in contravention of the provisions of this By-law, the mobile sign shall be removed immediately without notice, where located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City of Hamilton;
- (b) Where a mobile sign is located on property other than property owned by or under the jurisdiction of the City of Hamilton, the Chief Building Official or his designate may forward a notice, by personal service or regular post, to the Lessee or owner of the sign, or their agents, or to the person or agent having the use or major benefit of the mobile sign, requiring that the mobile sign be permanently removed within the time specified in the Notice and thereafter not replaced with any mobile sign in contravention of this By-law;
- (c) If the Notice is not complied with the Chief Building Official or his designate may require that the municipality, its employees, or an independent contractor enter upon the land and remove such mobile sign. The owner of the land upon which the mobile sign was located shall pay for any costs or expenses of the City. Such costs or expenses may be recovered in like manner as municipal taxes under the provisions of Section 326 of the Municipal Act, R.S.O. 1990, c.M.45 as amended from time to time;
- (d) where a mobile sign is deemed by the Chief Building Official or his designate to be in such a condition or location that it is or may be a hazard to the public, the Chief Building Official or his designate may either serve written notice to the owner or tenant of the property on which, or in front of which such mobile sign is located, to remove such mobile sign or make the same safe, or without giving notice to the owner or tenant of the property on which such mobile sign is located, cause such mobile sign or structure to be removed;
- (e) any sign removed pursuant to this Section may be deposited on the property on which or in front of which it was located or removed;
- (f) mobile signs removed shall be stored by the City for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such mobile sign upon the payment to the City of a one hundred dollar (\$100.00) fee in addition to any applicable costs or expenses referred to in subsection (c) above;
- (g) where a mobile sign has been removed by the City and stored for a period of 30 days and has not been redeemed, such mobile sign shall be forthwith destroyed or otherwise disposed of by the City.

Penalty for Non-Compliance

21. (a) Any person who, on his own or by his agent, contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time to a fine of not more than five thousand dollars (\$5,000.00), exclusive of costs, for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and may be punishable as such thereunder. Such fine shall be recoverable under the Provincial Offences Act.
- (b) Where a person has been convicted of an offense under this By-law the Court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offense or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offense.
- (c) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspection made by the authority having jurisdiction during the erection of a sign shall, in any way, relieve the owner of such sign, tenant or the owner of property on which the sign is located, from full responsibility for carrying out the work in accordance with the provisions of this By-law.

Liability

22. Any persons erecting or maintaining any mobile sign or on whose property a mobile sign is located, shall be liable for such mobile sign. The municipality is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the erection, maintenance, removal or falling of such mobile sign or part thereof.

Notice

23. Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by regular mail addressed to the person making application for permit to erect a mobile sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised Assessment Roll of the municipality, of the property on which, or in front of which, the sign is located, or at the last address for delivery appearing on the records of the Chief Building Official or his designate.

Schedules

24. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

Applicability

25. This By-law shall be applicable to all lands within the corporate limits of the City of Hamilton.

Validity

26. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

Meaning

27. For the purpose of this By-law, where the words "his" or "he" is used they shall also mean or stand for the words "her" "she" and "it" in the case of a corporation.

Short Title

28. This By-law shall be known as the Mobile Sign By-law.

Effective Date

29. Except for section 16, which shall come into force and take effect on the 12th day of May 1997, this By-law shall come into force and take effect on the 12th day of February, 1997.

PASSED this 11th day of February,

A.D. 1997

CITY CLERK

MAYOR



This is Schedule "A" to By-Law No. 97-_____
Passed the _____ day of _____, 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-____

Planning and Development Department

Legend

 Delineates Boundary of Downtown Core

North



Scale
NOT TO SCALE

Date
January 1997

Reference File No.

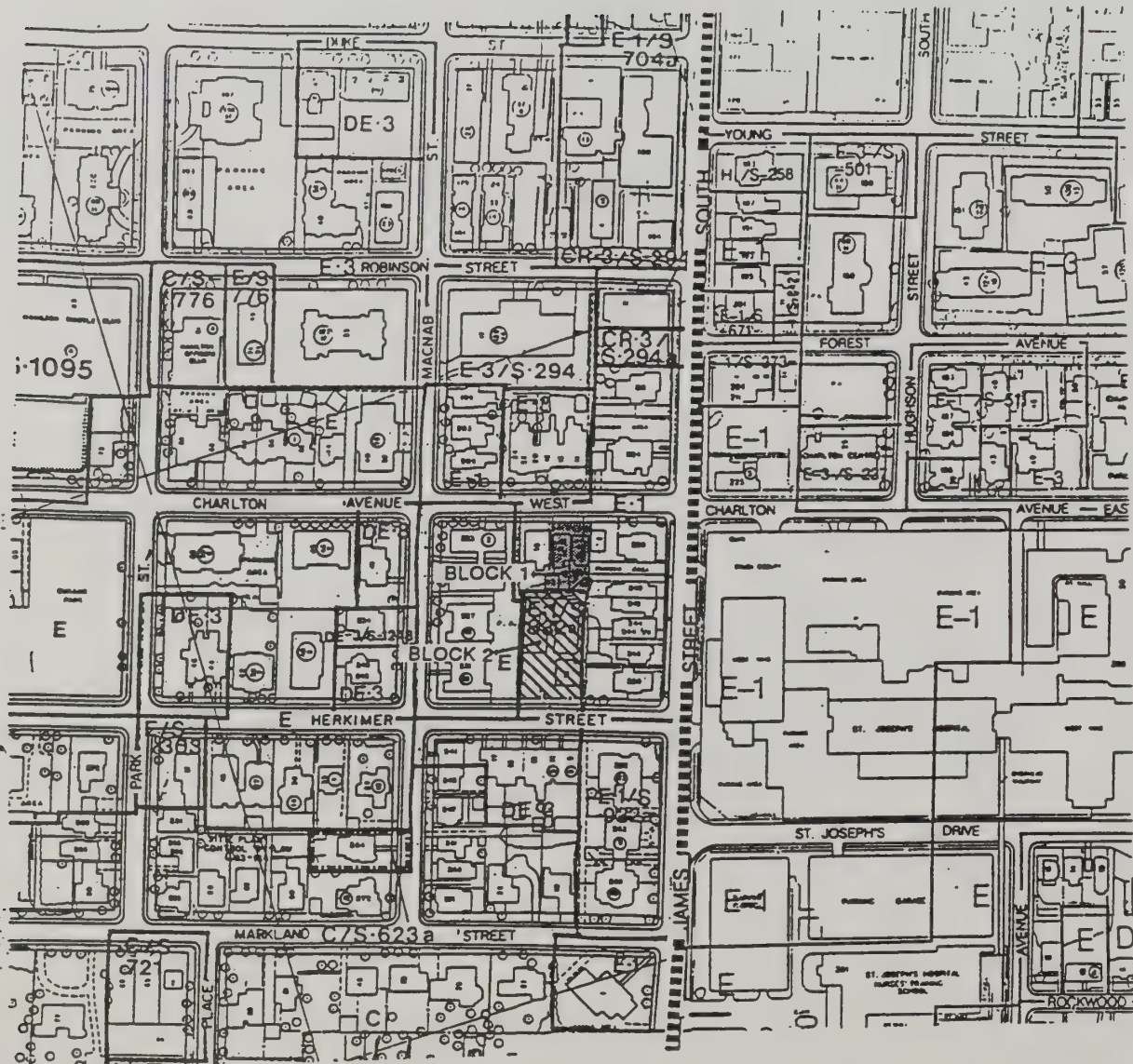
CI-91-1

Drawn By
R.L.

SCHEDULE "B"

PERMIT FEES

All permit applications shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of thirty-five (\$35.00) per two week period.



BLOCK 1 

BLOCK 2 

Further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

APPENDIX

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That By-law No. 91-089 respecting Indemnification of City Employees be repealed; and,
(b) That a by-law to indemnify employees be enacted.
2. (a) That an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1997 June 8, at Christie Conservation Area; and,
(b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

3. (a) That the City of Hamilton confirm that it claims no interest in the property known municipally as 1342 Stone Church Road East, Hamilton, that had been sold in 1977 to Bell Canada, subject to development covenants in favour of the City set out in our 1977 deeds to Bell registered as Instrument Nos. 70118C.D. and 64016L.T. This property is being released from these covenants as they have been fulfilled; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute documents for the said release in a form satisfactory to the City Solicitor.
- 4.
 - (a) That the City renew its membership for 1997 with the Association of Municipalities of Ontario at a fee of \$13,161.52; and,
 - (b) That staff be authorized to remit this payment at a cost to be financed from Account No. CH 56011-10032 - Memberships.
- 5.
 - (a) That a Pilot Project be undertaken with the Canadian Imperial Bank of Commerce, to evaluate the benefits and cost savings of introducing Procurement Cards; and,
 - (b) That the City Treasurer report back to the Finance and Administration Committee on the results of the Pilot Project.
- 6.
 - (a) That the City Treasurer be authorized to accept the following financial arrangements for payments required under the Interest Free Loan Agreement between the City of Hamilton and the Hamilton Firefighters Drum Corps Inc. with respect to the property at 175 Dartnall Road:
 - (i) The first two quarterly instalments for the year 1997, in the amount of \$10,700 each, be deferred to the end of the repayment period; and,
 - (ii) The monies equivalent to the first two payments for the year 1997, in the amount of \$21,400, be applied to the outstanding balance of 1996 Realty Taxes applicable to 175 Dartnall Road and to provide for payment toward the 1997 Taxes; and,
 - (iii) Commencing 1997 July 1, quarterly payments towards the Interest Free Loan be reduced from an amount of \$10,700 to an amount of \$8,000; and,
 - (b) That the City Solicitor be authorized and directed to prepare an Amending Agreement to the original 25 Year Lease Agreement, between the City and the Hamilton Firefighters Drum Corps Inc., incorporating the amendments contained in Section (a)(i) and Section (a)(iii) above.

7.
 - (a) That the appropriate By-law to authorize an agreement under Section 210.1 of the Municipal Act with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility be enacted; and,
 - (b) That upon the passage of the By-law, the Mayor and City Clerk be authorized to execute an Amending Contract satisfactory to the City Solicitor with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility; and,
 - (c) That upon passage of the By-law, the City Clerk shall give written Notice of the By-law to the Minister of Education and Training.
8.
 - (a) That the City of Hamilton provide funding in the amount of \$5,390.34 for twenty-five street banners for the 1997 ISU Championships Final, being held in Hamilton on 1997 February 28th to March 2nd; and,
 - (b) That the City of Hamilton provide funding in the amount of \$1,737.27 for a reception for ISU volunteers to be held on Monday, 1997 February 24th; and,
 - (c) That total funding in the amount of \$7,127.61 be charged to Account CH 54314 84010 (Reception Delegate Hosting Account).
9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-3 A By-law respecting Indemnification of Employees.
 - (b) D-4 A By-law to Authorize: A Municipal Capital Facility Agreement with the Hamilton Society for the Prevention of Cruelty to Animals.
 - (c) D-5 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 February 4**

CAY ON HBL A05

M21

1997

utes of Hamilton City Council
Tuesday, 1997 February 25
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAR 8 1997

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Alois Justen, St. Boniface Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 February 11 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented a Certificate of Recognition to Sharon Titian for her work with abused women and children in Ghana.

* * * * *

Mayor R. Morrow recognized The Player's Guild for donating the land which will be used by the Hamilton Habitat for Humanity. In attendance was Trevor McAnuff, President, Hamilton Habitat for Humanity; Norm Westbury, Chairman; and Margaret Houghton, Business Manager.

* * * * *

Mr. Ric Robertshaw, The President of the Canadian Public Works Association recognized Joe Pavelka and Charlie Guthro for chairing the Co-ordinating Committee for Hamilton to successfully host the 1996 CPWA Conference and Exposition.

CORRESPONDENCE

1. Application dated 1997 February 12 from A. DiSilvestro, 161 Rebecca Street, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1" and for a further modification to the "B-2" (Suburban Residential) District for Block "2" for property east of Springside Dr. south of Jacqueline Blvd., and west of the proposed extension of Upper Wellington Street/Mount Hamilton Cemetery.

Received.

2. Application dated 1997 February 11 from Fiore and Vally Manganiello, 93 Country Club Drive, Hamilton, Ontario for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "DE-2" (Multiple Dwellings) District modified for 87-95 Wellington St. N. and 216 Wilson Street, Hamilton, Ontario.

Received.

3. Application dated 1997 February 13 from 822827 Ontario Inc., c/o Agro, Zaffiro, et al, for changes in zoning from "DE-2" (Multiple Dwellings) District and "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District and "R-4" (Small Lot Single Family Dwellings) District for lands located West of Upper Kenilworth Avenue and North of Limeridge Road East, Hamilton; and application for a revision to Draft Plan Approved Subdivision 25T-83004(R) "Wisemount Estates Phase 9 and 10 for 67 Street Townhouses.

Received.

4. Letter dated February 24, 1997 from David R. Simpson, 99 Bond Street South, Hamilton respecting proposed hazardous and liquid waste at 97 Frid Street, Hamilton.

Referred to the Transport and Environment Committee.

5. Letter dated February 21, 1997 from Alderman B. Morelli advising that he is unable to serve on the Hamilton Health Sciences Board effective immediately.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - SECOND REPORT

Section 4 Re: Concessionairs at the Hamilton Civic Golf Courses - sale of alcoholic beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, D'Amico, Ross. -15

NAYS: Aldermen Jackson, Anderson. -2.

CARRIED.

* * * * *

Section 5 Re: 1 Spruceside Avenue - not declared surplus

It was moved by Alderman Wilson and seconded by Alderman Charters that Section 5 of the Second Report of the Parks and Recreation Committee for 1997 be referred back to the Finance and Administration Committee. **CARRIED.**

* * * * *

Section 7 Re: Contract for concession services at King's Forest Golf Course

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Section 7 of the Second Report of the Parks and Recreation Committee for 1997 be referred back. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - THIRD REPORT

FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT

Re: Rule No. 9 respecting surplus property for 606 Aberdeen Avenue

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a motion respecting the declaration of surplus property for property at 606 Aberdeen Avenue. **CARRIED.**

* * * * *

It was moved by Alderman Charters and seconded by Alderman Jackson that the following property be added as Sub-Section (a)(iv) of Section 6 of the Third Report for 1997 of the Finance and Administration Committee:

(iv) 606 Aberdeen Avenue

CARRIED.

* * * * *

Re: Rule No. 9 respecting Bill D-9: A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date.

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a bill to amend By-law No. 94-189 respecting the second pre-levy instalment due date. **CARRIED.**

* * * * *

Re: Bill D-9: A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date.

It was moved by Alderman Charters and seconded by Alderman Jackson that the following bill be added as sub-section (d) of Section 13 of the Third Report for 1997 of the Finance and Administration Committee:

(d) D-9 A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date. **CARRIED.**

* * * * *

Re: Rule No. 9 Single Tier Administrative Review Steering Committee

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a recommendation from the Single Tier Administrative Review Steering Committee respecting shared services for finance and administration. **CARRIED.**

* * * * *

Section 14 Re: Single Tier Administrative Review Steering Committee

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 14 of the Third Report for 1997 of the Finance and Administration Committee:

(a) That the report entitled "Shared Services for Finance and Administration - Phase II Report" as prepared by Price Waterhouse Consultants, which was previously circulated to members of City Council and available from the Secretary of the Single Tier Administrative Review Steering Committee, be received; and,

- (b) That the City of Hamilton be invited to prepare a proposal for the provision of shared financial transaction services to the Region of Hamilton-Wentworth. **CARRIED.**

LICENSING COMMITTEE - FIRST REPORT

NOMINATING COMMITTEE - SECOND REPORT

COMMITTEE OF THE WHOLE - FIRST REPORT

Section 1 Re: User Fees

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 16.

NAYS: Mayor Morrow. -1.

CARRIED.

* * * * *

Section 2 Re: Bill 84

It was moved by Alderman Wilson and seconded by Alderman Ross that the following be added as Section 2 of the Committee of the Whole for 1997:

2. That the Legislature of the Province of Ontario be requested to hold public hearings in the City of Hamilton on Bill 84. **CARRIED.**

RESOLUTION

Withdrawing of support to the N.H.L. Franchise

Re: Rule No. 9 - N.H.L. Franchise

It was moved by Alderman Jackson and seconded by Alderman Wilson that Rule No. 9 of Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the bid from the City of Hamilton re: NHL Franchise.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, D'Amico, Ross. -12.

NAYS: Aldermen Agro, McCulloch, Eisenberger, Merling, Anderson. -5.

CARRIED.

* * * * *

Re: Withdrawing support for future games of the N.H.L.

That the people of the City of Hamilton be encouraged to withdraw their support for any future games in Toronto and Buffalo, involving those respective NHL franchises, as a demonstration against the most recent decision in February, 1997 by the NHL (through Commissioner Gary Bettman) to eliminate Hamilton's bid for an NHL franchise.

That this motion be forwarded to all municipalities throughout The Golden Horseshoe area with a population of 50,000 or more to request their support in this matter.

Recorded vote.

YEAS: Alderman Jackson. -1.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16
LOST.

ACTING MAYOR FOR THE MONTH OF MARCH, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman W. McCulloch be appointed Acting Mayor for the month of March, 1997. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, the Nominating Committee, the Committee of the Whole and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

City Council then adjourned at 8:35 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 February 25
JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That the 1997 Workplan of the Arts Advisory Commission attached hereto as Appendix "A", be approved.
2. That approval be given the Director of Culture and Recreation to expend up to \$600 from the Hamilton Children's Museum Reserve Account No. CH5X942 00183 for the construction of adequate structural support for the exhibit floor at the Hamilton Children's Museum.
3.
 - (a) That the Mayor and Clerk be authorized to sign an agreement which extends the Joint Management Agreement between the City of Hamilton and the Hamilton Region Conservation Authority for the remediation of the Red Hill Creek Valley for a term of three months from 1997 March 31 to 1997 June 30; and,
 - (b) That the City Solicitor be authorized to prepare the necessary document to effect the Agreement extension.
4.
 - (a) That, based on the successful trial period during the 1996 Golf Season, the concessionaires at the Hamilton Civic Golf Courses be authorized to continue with the sale of alcoholic beverages from mid-course concession stands in accordance with existing Provincial and local statutes, terms and conditions for the duration of their contracts with the City of Hamilton; and,
 - (b) That the City Solicitor be authorized to amend the contracts accordingly.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, D'Amico, Ross. -15

NAYS: Aldermen Jackson, Anderson. -2.

CARRIED.

5. That No. 1 Spruceside Avenue not be declared surplus to the requirements of the City and that no action be taken to dispose of same. **REFERRED BACK TO THE FINANCE AND ADMINISTRATION COMMITTEE.**
6.
 - (a) That approval be given to the Director of Culture and Recreation to accept the request from the Ontario Golf Association to host the Ontario Junior/Juvenile Championship from 1997 July 8 to July 11, at King's Forest Golf Club; and,
 - (b) That approval be given to the Director of Culture and Recreation to formally request to host the Ontario Golf Association's premier event - the Ontario Amateur Championship in the year 2000.
7.
 - (a) That the Contract for concession services at King's Forest Golf Course with Carmen's Off-Premises Catering Limited, be terminated, unless all outstanding issues relative to the viability of this contract are resolved no later than 1997 February 28; and,
 - (b) That the City Solicitor advise the tenant of the default and return the premises to the City, should the default occur; and,
 - (c) That the Director of Culture and Recreation be authorized to issue an immediate Request for Proposal call to find a new caterer in time for the 1997 Golf Season upon termination. **REFERRED BACK.**

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1997 February 18

SUMMARY OF RECOMMENDATIONS, MUNICIPAL POLICY FOR THE ARTS

Objectives	Rationale	Implementation Strategies	Current Status	1997 Objectives
RELATIONSHIPS				
*1. Arts Coordinator	•Implement Arts Policy; liaise with arts community	•establish permanent position in C&R Dept.	•ongoing since 1988	•Regular or monthly written reports to AAC on departmental activities.
2. City create formal planning relationship with Region.	•complementary support •major proportion of Region's budget from City (72%).	•ongoing dialogue through various task forces and committees	•City funds smaller groups; region funds large arts groups.	•Culture & Rec to monitor regional / municipal gov't restructuring as it effects arts development. •1997 recommendations affecting the arts in Hamilton to be brought to AAC, at the staff level for discussion and comment.
*3. City to encourage partnerships	•Maximize opportunity for development	•City & AAS to identify potential information. •City & AAS ongoing dialogue for information. •AAS consultant to senior staff re grants process	•Memberships: Bay Area Arts Collective, Mohawk College Arts Advisory Commission. •Murals: (1996 projects) Ottawa St. N. BIA, Barton General BIA, Downtown BIA. •Bach Elgar Choir (Arts Award) 1996; •Music in the City 1996; •Public Art Programme 1996; •Rec Centres Arts Classes 1996/97-24 Instructors; •Sackville Sr. Centre Arts; •First Night 1995, 1996	•Future planning through the symposia and/or public consultation as needed; •encourage new development through partnerships with new groups e.g. (other BIA's, specialist interest groups, Chamber of Commerce) •Compile statistics and other documentation (staff) •Identify service gaps
*4. City to take active role to ensure arts progs/servs. are compatible, complementary.	•Maximize effect •Maximize efficiency	a) Staff coord Arts related initiatives within City Depts. b) See No. 2 above c) City programmes to be compatible with other groups d) City to work with HARAC for Arts directory e) City to arbitrate & resolve problems	•(a) Rec. Centre arts classes; Sackville Hill Seniors' arts classes •(b) Special Events (First Night); Rec Centres Arts Classes (1991 - Present: approx. 1,000 students); Sackville Sr. Centre Arts.	- RE e): Arbitration/Ombudsman Role •via press releases and community forums.

Appendix "A" as referred to in Section 1 of the SECOND Report of the Parks and Recreation Committee for 1997

"Objectives" of Municipal Policy for the Arts, approved by Council 10 October 1989

FACILITIES

•5. Develop policy "Art in Public Spaces".	•No clear guide for planning, selection, funding, maintenance.	•C&R and AAS develop Policy and administer.	•Council approved Policy in 1992 •Funding approved 1994; additional years' funding denied •Storage set-up (Burlington St.) •Donations of Artwork (2 donors in 1996) •Finalize draft of Collections Policy •Documentation of public art collection, 1994.	•Advocate for ongoing and increased support in dollars/services in kind by Council; maintenance and acquisition budget. •Recommendation that City facilities have public art component whenever suitable. •completion of maintenance program for public art. •staff to report annually on acquisitions, conservation, maintenance of public art.
•6. C&R to coord. technical aspects of Special Events.	•No clear leadership •Eliminate confusion •Clarify process.	•Print guide for Special Events •One office coord.	•Special Events Coordinator in place since 1989. •SEAT Committee established in 1989 meets on regular basis. •Achieved "one stop" shopping for event organizers through SEAT Committee. •Draft guidelines for special Events. •First Night: City purchased copyright (1995).	•Continue to explore live/work spaces (e.g. Artscape in Toronto, defunct Barton St. development, Downtown core).
•7. City to take active role to support & develop facilities.	•space very limited for exhibits, storage, rehearsal, workspace offices. •Two-tier subsidy re Arts' use of City-owned/operated facilities	•Support use of City-owned buildings for arts activities, e.g. St. Marks (prospective), Rec. Centres arts classes; public art at Lawfield, Twin Pad, Inchpark and Parkdale Arenas, etc. •4 temporary exhibits annually at City Hall's 2nd flr. •Combined arts/heritage events: Museum of Steam and Technology, Children's Museum.	•Continue using City facilities for Arts programmes. •multiple downtown venues for First Night arts activities	
•8. Ongoing research & consultn on facilities.	•Respond to changing needs	•Assess public bldgs for Arts use when they are available. •C&R and AAS to monitor & assess	•Ongoing (e.g. St. Mark's Church); Infrastructure study (Departmental); liaison with other arts organizations (e.g. Creative Arts, Hamilton Region Arts Council).	•Ongoing: AAC and community arts reps are invited to be part of planning meetings, e.g. St. Mark's Church. •compile "arts" facts/economic impact for community.

PROGRAMMES

•9. Annual Arts Awareness campaign	•Community education and health •Invite community participation •Foster tourism and economic benefit	•C&R and AAS take a leadership role to coord. Arts, its partners, & the community at large.	•No campaign '94-'96 •1991, 1992, 1993 Arts Week & Arts month promoted. •1995, 1996 First Night Arts event. •Annual Arts Award ongoing.	•Heighten public awareness and ensure the Arts are involved as partners in events/festivals. •Hamilton Arts Award; administered by Commission since 1990, ongoing. Raise profile and expand program and categories.
•10. City support access to Arts education programme for citizens of Hamilton	•Variety of venues •Enhance personal growth and self-esteem. •Arts as beneficial to well-being as sports activities.	•City to do inventory of arts educn. opportunities •Identify potential users •AAS share know-how via workshops.	•Public Art Symposium and document, 1992 •Business and the Arts Symposium and document 1996 •See attached Appendix for more programme listings: Enhanced Arts classes for 8-12 yr. olds, all Recreation Centres. •Arts component has been built into delivery of other City programmes and events, opening ceremonies	•Consider as objective for commission on an as-need basis. •Focus for 1997 Symposium for artists of all disciplines •Continue to schedule ongoing art exhibits at City Hall; AAC to be advised of schedule for cross promotion. •Integrate the A.A.C. into various city groups and initiatives.
•11. City assist Arts in public awareness of activities/issues	•Improve access to Information	•City Info. Hot Line •Promote regular dialogue within the Arts •Info booklet on Grants process.	•Spec-tel line •Several organizations provide regular newsletters, calendars (Econ. Dev't./Broadway, Artsbeat Magazine, Cable 14 etc. •Since 1991 grants info workshop held annually, early December. •Listing of in-house arts programmes in departmental calendar	•Facilitate web site for Hamilton Arts Community •Explore Interlink with HARAC, Creative Arts, Libraries, Mohawk College, McMaster, Musicians' Guild etc. - NOTE: Website project now in progress through BAAC.

FUNDING

<u>Objectives</u>	<u>Rationale</u>	<u>Implementation Strategies</u>	<u>Current Status</u>	<u>1997 Objectives</u>
•12. Differentiate between City facility grants & Community programme grants. •13. Mechanism for Peer consult. re grants application process. •14. Restructure time frame for grant applications. •15. Grants to recognize inflation.	•Equitable distribution of grants •Encourage responsible accounting in the Arts. •A p p l y r e l e v a n t A r t s knowledge/experience to decision process. •Encourage fiscal responsibility. •Facilitate financial planning, alternate funding sources. •Ensure consistent progs/servs. •Make Arts mgmt. accountable. •Increase effective use of grant \$. •Not In City Policy at present. •City should <u>not</u> have to fund either total project budget or total operating expenses. •Hamilton a major urban centre; Arts to keep pace with growth & needs. •Ensure Arts growth, new ideas. •None exist currently.	•Applicants to meet 4 key criteria (a-d) •Arts Commission recommend <u>non-partisan</u> reps. •Provide rational consistent basis for grants. •Three-month turnaround or 2 funding periods (Oct. & Feb. apps.) •Cornerstone groups get inflation rate. •Monitor over 2 yrs. •Freeze level if poor performance. •Then decrease, if no improvement. •Allow to apply under established non-profit Arts organization. •City to fund 1/3 <u>maximum</u>. •Group to show proof of other sources. •Two-tier assessment based on taxes. •Coord. with Region. •10% of Arts funds allocated to new projects or one-time events.	Appendix: •see attached revised City grants policy which reflects equitable distribution & accountability issues. •Grants process changed 1992. •Grants Coordinator role since 1980 through Treasury Dept. •Annual deadline: Dec.31 •City budget approved once per year (March). Groups now aware, through Grants Coordinator. •Increase in level of general grants budget is tied to the rate of assessment, <u>not</u> the rate of inflation. •City Treasury Dept. monitors large grants (over \$10,000) by requiring audited statements. •This is now part of the revised grants policy. •This is required to be shown on the application form. 20% max. •Has not happened yet as recommended in this particular strategy. •This is part of the revised grants policy.	•Recommendation that City continue to provide grants to non-profit arts groups; monitor outcomes. •Monitor changes to grants process. •Raise awareness among arts community of upcoming deadlines and monitor progress. •Monitor and advocate for necessary increased support through funds, service or promo to potential partners/funders. •Monitor maintenance of accountability. •Monitor work to increase funding & service-in-kind and other aspects of city support. •Maintain status quo. •Monitor funding issues which affect local arts groups. •Maintain status quo.

1997 Objectives

Current Status

Implementation Strategies

Rationale

Objectives

IMPLEMENTATION

21. Procedure to Implement & evaluate Arts Policy.

- Evaluate progress.
- Utilize experience.
- Recommend action.

- Arts Commission plans annual forum for public participation.
- Arts Coord. - ongoing
- AAC - ongoing.

- Arts and Business Symposium June 5, 1996.
- Arts Advisory Subcommittee Public Art Commission Integrated into one body in 1995 i.e. A.A.C.
- Guidelines for Members revised 1996

- Phase II to be held in 1997

- In January, 1987, the Arts Task force submitted its recommendations.
- Numbers correspond to similar recommendations between the two reports.

Additional recommendations made in 1987 include:

- AAS to investigate Group Benefit Plan for artists.
- AAS to rotate membership on the Committee for new ideas *
- Rep. of AAS to sit on HECFI
- City to fund Arts Umbrella/Council on per capita basis
- Consider some Arts projects under long-term Capital funding
- Earmark for Arts consideration, 1% of Capital for new and renovated City Buildings
- User pay needs further study, may have negative impact
- Mid-size theatre for downtown
- Studio Theatre should be accessible for community groups
- City to assist with performance facility for smaller groups
- Handbook of Effective Arts Promotion
- Develop an A/V presentation on Hamilton Arts

STATUS

- re-assess
- recommendation for rotating membership
- denied
- re-assess
- answered through public art policy
- re-assess on regular basis
- {re-assess the need for this
- {
- {
- "Building with Music" • 1989

Changes in policies and practices are reflected in the attached Appendices as follows:

- 1) General Grants Policy - 1995 revision
- 2) Policy - Art in Public Places - 1992
- 3) Programme brochure of recreation centres' arts classes - 1996

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. (a) That approval be given to amended Zoning Application ZAC-96-15, 744457 Ontario Limited (Veteran Taxi), owners, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for Block "1" and a modification to the established "H" (Community Shopping and Commercial, etc.) District for Block "2", for property located south-west corner of King William Street and Wentworth Street North, known municipally as 488 King William Street and 15 Wentworth Street North, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
 - (ii) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - 1) That notwithstanding Section 2.(2)(J).(xiii) of Zoning By-law No. 6593, for the purposes of the by-law the "Lot-Line Front" shall be Wentworth Street North;
 - 2) That notwithstanding Section 14.(3)(ii)(a) of Zoning By-law No. 6593, a minimum side yard of 3.0 m shall be provided and maintained along the northerly lot line;
 - 3) That notwithstanding Section 14.(3)(iii)(c) of Zoning By-law No. 6593, a rear yard of a depth of at least 1.5 m shall be provided and maintained;
 - 4) That notwithstanding Section 18(3)(vi)(b)(ii) of Zoning By-law No. 6593, a canopy shall not project into the required rear yard;

- (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1374, and that the subject lands on Zoning District Map E-13 be notated S - 1374;
 - (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13 for presentation to City Council;
 - (vi) That the approved Lansdale Neighbourhood Plan be amended to redesignate the Block "1" from "Single & Double Residential" to "Commercial" upon finalization of the by-law;
 - (vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the implementing By-law not be presented to City Council until such time as the properties known as 488 King William Street and 15 Wentworth Street North must be merged in title and the proof be submitted to the City Solicitor that the properties are held under single registered title;
 - (c) That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the lands identified as Block "2" to Schedule "A";
 - (d) That the City Solicitor be directed to prepare a By-law to amend By-law 79-275 to place the lands identified as Block "2" under Site Plan Control.
2. (a) That approval be given to Zoning Application ZAC-96-16, First Place Hamilton, owners, requesting a modification in zoning to the established "CR-3" (Commercial-Residential) District requirements for property located at 350-360 King Street West, to permit the conversion of the second floor of the existing building from commercial uses to 75 "retirement lifestyle" residential units (63 single bed units, 12 double bed units), as shown on the attached map marked as Appendix "B", on the following basis:
- (i) That the "CR-3" (Commercial - Residential) District regulations, as contained in Section 15B. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements;
 - 1) notwithstanding Section 15B.(3)(a) of Zoning By-law No. 6593, the following uses shall be permitted within the second floor of the existing building:

- a. a senior citizens facility containing a maximum of seventy-five (75) "housekeeping dwelling units";
 - b. a dining room only in conjunction with a senior citizens facility;
- 2) notwithstanding Section 15B.(17)(b) of Zoning By-law No. 6593, the residential portion of a joint residential use and commercial use shall have a gross floor area of not more than 31,100 m² (334,757 sq.ft.) and a commercial gross floor area of not more than 6,055 m² (65,177 sq.ft.);
- 3) notwithstanding Subsections 15B.(18)(a)(i) and 15B.(18)(a)(ii) of Zoning By-law No. 6593, shall not apply for the purposes of calculating gross floor area;
- 4) notwithstanding Table 1 of Section 18A. of Zoning By-law No. 6593, a minimum of 1 parking space per 3 beds shall be required for a senior citizens facility containing not more than seventy-five (75) "housekeeping dwelling units".
- 5) for the purposes of the By-law, a senior citizens facility means a facility within which all residents are at least 60 years of age or older.
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1375, and that the subject lands on Zoning District Map E-13 be notated S - 1375;
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13 for presentation to City Council;
- (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- 3. That approval be given to City Initiative 96-H, for a general text amendment to Zoning By-law No. 6593 to remove tallow rendering or other reducing plant as a permitted use in the "K" (Heavy Industry, etc.) and "KK" (Restricted Heavy Industrial, etc.) Districts, on the following basis:

- (i) That Section 2.(2)E.(vii) be amended by deleting the words "tallow rendering or other reducing or rendering plant" so the definition reads as follows:

"Animal By-Product Plant" shall mean and include a gelatin or glue factory, a bone-meal factory, organic fertilizer plant, and any other plant or premises used for any such purpose";

- (ii) That Section 16.(1)(xii)(c) be amended by deleting the words "within the meaning of The Public Health Act" so the clause reads as follows:

"any other animals products manufacture which is an offensive manufacture."

- (iii) That Section 17.(1)(vii) be amended by deleting the words "tallow rendering plant" so the clause reads as follows:

"A slaughterhouse, tannery, glue factory, or any other factory for the manufacture of Animal Products;"

- (iv) That Section 18.(1)(vi) be amended by deleting the words "within the meaning of The Public Health Act" so the clause reads as follows:

"An animal by-products plant, an abattoir or slaughter house for other than the killing of rabbits or poultry, a tannery, and any other use which may be an offensive manufacture."

- (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council;

- (vi) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

4. (a) That the Region be requested to approve the application by B.J. Clark, agent, to extend draft plan approval for "Battleridge" subdivision under Regional File No. 25T-76024 for a further one (1) year period to February 28, 1998.

- (b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

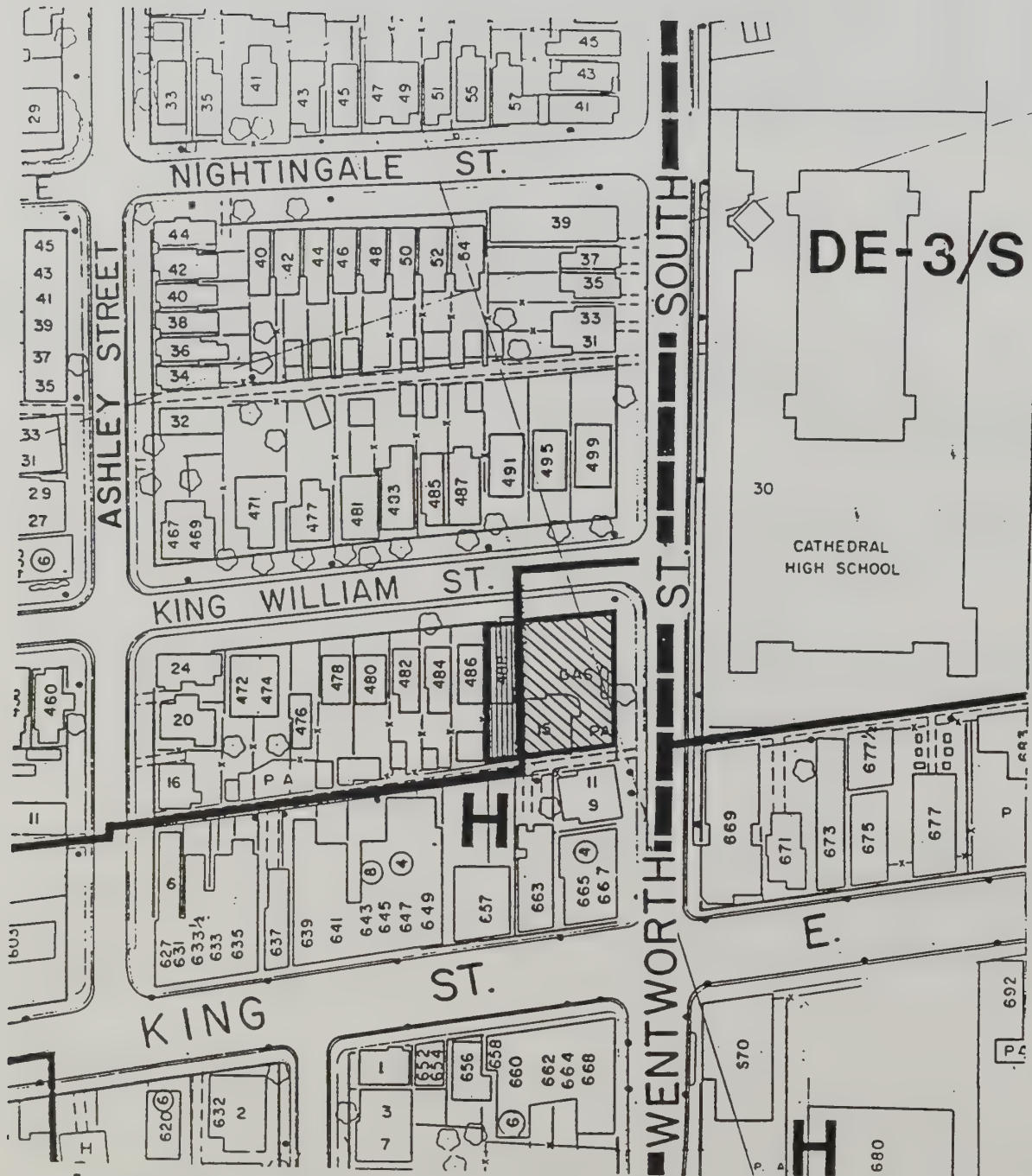
5.
 - (a) That no action be taken on Zoning Application 93-42 Ashok Kumar, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings in conjunction with lands to the west, for property located at the rear of No. 1094 Upper Sherman Avenue, shown on the attached map marked as Appendix "C",
 - (b) That staff of the Planning and Development Department be directed to close the file.
6.
 - (a) That the request by John Parente, Solicitor for 822827 Ontario Inc., owner, to remove part-lot control be approved to establish maintenance easements for Lots 1 to 9 inclusive, and Lot 12 located in "Wisemount Estates - Phase 7" shown on the attached map marked as Appendix "D".
 - (b) That the appropriate by-law to remove part lot control from Lots 1 to 9 inclusive and Lot 12, Registered Plan 62M-794, "Wisemount Estates - Phase 7" plan of subdivision, effective until June 1, 1997, be enacted by Council;
 - (c) That following enactment of this by-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law.
7. That the list of vacant heritage buildings in Hamilton attached hereto and marked as Appendix "E" be forwarded to the Director, Economic Development Department; the General Manager of Housing and Loans, Building Department, the Downtown Initiatives Committee; and, the Downtown Partnership in order to identify and target buildings of importance to Hamilton which are worthy of preservation and adaptive re-use but potentially endangered.
8. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-12 By-law to Amend By-law No. 86-98 As Amended by By-laws No. 92-074 and 96-190 Respecting Members of the Board of Management of the Westdale Business Improvement Area.
 - (b) C-13 By-law to Amend Zoning By-law 06593 Respecting Lands Located South of the Proposed Mountain Freeway and West Fifth Street and North of Chester Avenue.

- (c) C-14 By-law to Remove Land within the "Wisemount Estates - Phase 7" Subdivision, Plan 62M-794 from Part Lot Control.

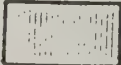
Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 February 19**



Legend

- BLOCK 1**  Proposed change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, Modified.
- BLOCK 2**  Proposed Modification to the Established "H" (Community shopping and Commercial etc.) District.

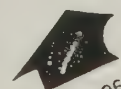

ZAC-96-12



Legend



Site of the Application


ZAC-96-16



1997 February 25

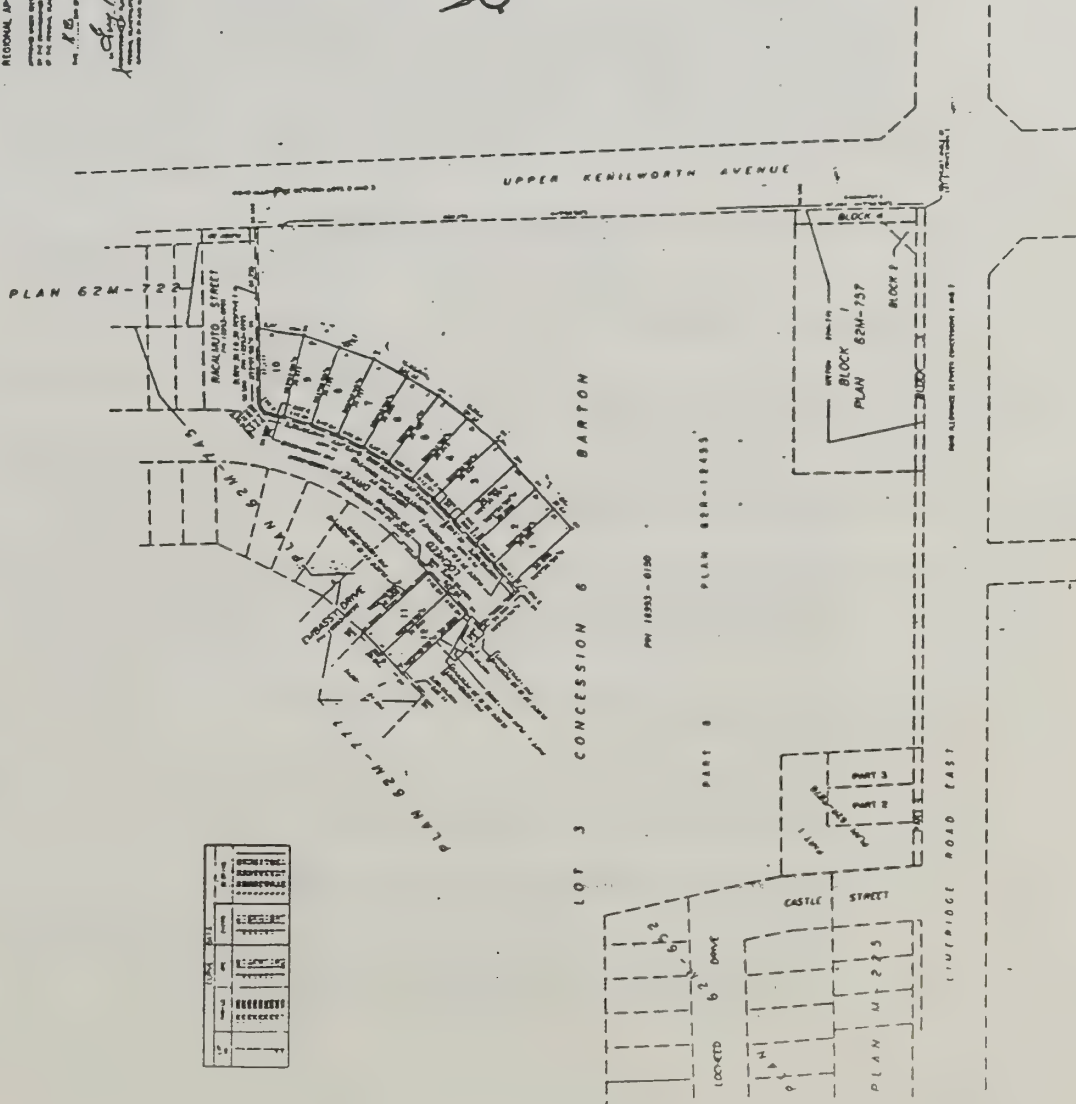
M-794

LOCHEES DRIVE

25T-83004T
 PLAN 62M-79

REGIONAL APPROVAL

City of Hamilton
 Planning Department
 100 King Street West
 Hamilton, Ontario L8N 3Z5
 Tel: (905) 546-1000
 Fax: (905) 546-1001



**Wisemount Estates
 Phase 7**
 PART OF LOT 3, CONCESSION 6
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON
 J.D. BARNES LIMITED
 1996

SCALE 1:1750
 METRIC

OWNER'S CERTIFICATE

STREET OUTLINED

NOTES:

OWNER'S CERTIFICATE

J.D. BARNES
 100 King Street West
 Hamilton, Ontario L8N 3Z5
 Tel: (905) 546-1000
 Fax: (905) 546-1001

Vacant Heritage Buildings in Hamilton

February 1997

EXPLANATORY NOTE:

All of the buildings listed below are on the *Inventory of Buildings of Architectural and/or Historical Interest* for the City of Hamilton; some are also designated under the Ontario Heritage Act* and/or included on a list of *Landmark Buildings in the Downtown Core***. The following list includes two *designated* buildings which are not vacant but which are for sale or potentially for sale. Names of property owners are taken from the current City of Hamilton assessment records.

A. BUILDINGS IN THE DOWNTOWN CORE

1. *CN Station*/***, 360 James Street North - vacant and for sale; owner: Canadian National Railway Co.
2. *Tivoli Theatre*/***, 108-112 James Street North; partly vacant and potentially for sale; owner: Sniderman Radio Sales & Service Ltd.
3. *Lister Block*/***, 28-44 James Street North - vacant (with adjoining building at 15-21 King William Street); owner: 810322 Ontario Ltd., c/o Metrus Properties Ltd.
4. *19-31 King Street East (former Woolworth's building)* - vacant and for sale; owner: 848276 Ontario Inc.; The Aragon Group (owner of *The Right House/ Park Place*) has made a conditional offer on the property
5. 81 King Street East (n.w. corner of John Street North) - vacant and for sale; owner: Samuel Sniderman
6. *Treble Hall***, 6-12 John Street North - largely vacant and for sale (with adjoining building at 85-87 King Street East); owner: Sarah Wertman
7. *Century Theatre*, 12 Mary Street - vacant; owner: unknown
8. *Victoria Hall*/***, 68 King Street East and the *MacKay Building*, 66 King Street East (adjoining buildings) - vacant; owner: Grail Investments Ltd.

NOTE: Victoria Hall was declared a National Historic Site in 1995.

B. OTHER HERITAGE BUILDINGS

1. *Church of St. Thomas**, 16 West Ave. S. - vacant; former Anglican church closed in 1996; currently for sale by the Synod of the Diocese of Niagara
2. *St. Andrew's Church**, 109 Smith Ave. (originally *St. Andrew's Presbyterian Church*; most recently *St. Paul's Ecumenical Church*) - vacant; owner: Susan Fenwick (assessed as 384 Barton St. E.)
3. *St. Mark's Church**, 120 Bay Street South - vacant; former Anglican church now owned by the City of Hamilton
4. *Hamilton Conservatory of Music**, 126 James Street South - currently offices for social services agency, Alternatives for Youth; for sale; owner: A Y Alienated Youth of Canada
5. *Canadian Westinghouse Head Office Building**, 286 Sanford Avenue - vacant; owner: Westinghouse Canada Inc.
6. *Burlington Canal Lighthouse and Keeper's House**, 1159/ 1155 Beach Boulevard - vacant; owner: Public Works Canada
7. *Strathcona Fire Station*, 37-39 Strathcona Avenue North - vacant; owner: Hellenic Community of Hamilton and District
8. *Bellevue**, 14 Belvidere Avenue (single-family dwelling) - vacant; owner: Clair Sellens
9. 2717 King Street East (single-family dwelling) - vacant (early 19th century farmhouse built for United Empire Loyalist Samuel Nash); owner: Owen Jackson

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. That the 1997 invoice for \$94,396. (plus GST) from GEAC in Mississauga (formerly Dunn and Bradstreet Software) be authorized for payment from Account CH 5609X - 26021 (User Software).
2. That the listing of Appointments to and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1997 February 6, attached herewith and marked Appendix "A", be approved.
3.
 - (a) That the City Treasurer be directed to establish a Housing Reserve to be utilized by the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited; and,
 - (b) That the amount of \$197,739.61, returned to the City by the Municipal Non-Profit (Hamilton) Housing Corporation be transferred to the above Reserve; and,
 - (c) That the purchase of 207-209 King Street East by Hamilton Housing Company Limited for Downtown Revitalization, approved by the Board at its meeting of 1996 November 25, in the amount of \$180,506.08 be funded from the Housing Reserve; and,
 - (d) That \$58,415 be transferred to the Reserve for Hosting of Special Dignitaries, (00128) from the Reserve for Hosting Conferences - Municipal Content (00126); and,
 - (e) That \$35,000 of the Current Budget Surplus be transferred to the Reserve for Hosting Special Dignitaries (00128) for 1997; and,
 - (f) That the balance of the Current Budget Surplus (estimated at \$947,000) be transferred to the Reserve for Tax Stabilization,(00135); and,

- (g) That the accrual of outstanding Vacation Pay (\$3,670,204.03) related to Employees hired prior to 1980 be financed from the Reserve for Tax Stabilization - Working Fund Reserve (00135); and,
 - (h) That the accrual for outstanding Vacation Pay (\$1,942,065.38) for employee's vacation earned from their anniversary date to the end of the year be financed from the Reserve for Tax Stabilization - Working Fund (00135).
4. That the Statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1996, attached herewith and marked Appendix "B", be received by City Council.
5. That Section 21 of the Tenth Report of the Finance and Administration Committee approved by City Council on 1996 May 14, with respect to the award of a Purchase Order for the construction of an uninterruptable power supply system for Information Systems be rescinded.
6. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
- (i) 337-339 York Boulevard
 - (ii) 71 Horning Drive
 - (iii) 226-1/2 Grosvenor Avenue
 - (iv) 606 Aberdeen Avenue **ADDED.**
- (b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.
7. (a) That the following four qualified Vendors be approved for the supply and delivery of Hewlett Packard Pentium PC Desktop Computers for a one year period to 1998 March 31:
- (i) 4 Office Automation, Burlington
 - (ii) JMG, Hamilton
 - (iii) GE Capital, Mississauga
 - (iv) Telecom, Burlington

- (b) That the Purchasing Manager (or Designate) obtain monthly quotations from the above qualified companies for each following month's requirements and, all other factors being equal, choose the lowest quoting company to fill that month's requirements; and,
 - (c) That funding be provided from Account # CH56605-26032 (Workstation Leasing)
- 8. That Western Management Consultants be retained for a cost of up to \$25,000 to provide technical and management services to assist with the implementation of the recommendations from the "Operational Review of the Information Systems Department" by LGS Group Inc., 1996 September.
- 9. That a By-law to amend By-law No. 90-198 respecting Fireworks be enacted by City Council.
- 10.
 - (a) That the City of Hamilton host a reception for the Hamilton International Air Show on Friday, 1997 June 13th, at a cost of \$5,000; and,
 - (b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.
- 11.
 - (a) That Section 17 of the First report of the Finance and Administration Committee which was approved by City Council on 1997 January 28, be amended to provide for an extension of the due date for the second pre-levy instalment of 1997 realty taxes from 1997 March 31 to 1997 April 1; and,
 - (b) That the City Solicitor be authorized and directed to prepare an amendment to the Tax Levy By-Law 71-69 to provide for this change for the year 1997 only.
- 12.
 - (a) That the City resolve Ontario Court (General Division) Action # 8860/95 by the payment to the Plaintiff, Beatrice Cole, of the sum of \$27,000 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff, Beatrice Cole, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Action # 8860/95 be dismissed without costs.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-6 A By-law to Amend By-law No. 95-18 and By-law No. 95-090 to Authorize a Transfer of Debenture Proceeds.
- (b) D-7 A By-law to Amend By-law No. 90-198 respecting Fireworks.
- (c) D-8 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
- (d) D-9 A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date. **ADDED.**

14. (a) That the report entitled "Shared Services for Finance and Administration - Phase II Report" as prepared by Price Waterhouse Consultants, which was previously circulated to members of City Council and available from the Secretary of the Single Tier Administrative Review Steering Committee, be received; and,
- (b) That the City of Hamilton be invited to prepare a proposal for the provision of shared financial transaction services to the Region of Hamilton-Wentworth. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 February 18**

Appendix "A" referred
to in Section 2 of the
THIRD Report of
the Finance and
Administration
Committee for 1997

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Margaret Violin	I	Accounting Clerk	H.E.C.F.I.	Replacing Mr. J. Whitwell - resigned, Nov. 29/96	\$31,563.48 to \$37,117.60	Jan. 01/97

Prepared February 6, 1997

Status -

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Melissa Farr	Invoice Checking Clerk	Treasury	Resigned	5 years, 6 months	Dec. 31/96
Mr. Donald Patterson	Curatorial Assistant Dundurn Castle	Culture & Recreation	Terminated	18 years, 11 months	Dec. 27/96

Prepared February 6, 1997

Glossary of Terms

Terminated – long term disability	Resigned – personal betterment
– discharge	– personal reasons
– downsizing	
– redundant	

City of Hamilton
Treasury

Appendix "B" referred
to in Section 4 of the
THIRD Report of
the Finance and
Administration
Committee for 1997

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) Members of Council	Salary*
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	20,492.68
Charters, R.	20,492.68
Copps, G.	20,492.68
D'Amico, F.	20,492.68
Drury, D.	20,492.68
Eisenberger, F.	20,492.68
Jackson, T.	20,492.68
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	<u>20,492.68</u>
	<u>\$393,459.04</u>

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	\$2,100.00
Serwatuk, D.	2,100.00
Begg, E.	2,100.00
Law, B.	2,600.00
Cutler, R.	<u>2,100.00</u>
	<u>\$11,000.00</u>

City of Hamilton
TreasurySTATEMENT OF THE TREASURER
for the period ending December 31, 1996(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 900.00
Clothier, R.	600.00
Cooper, H.	1,200.00
Gibson, D.	700.00
Green, R.	500.00
Groves, L.	500.00
Hardie, D.	1,200.00
Holms, M.	900.00
Kaut, H.	1,000.00
Korz, G.	1,250.00
Langdon, D.	300.00
MacIntyre, D.	1,200.00
Penko, G.	1,000.00
Reilly, M.	500.00
Taffs, R.	700.00
VanDerbeek, P.	1,800.00
Woodrow, B.	900.00
Warner, S.	<u>100.00</u>
	<u>\$15,250.00</u>

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agro, V. J.	2,038.51
Anderson, T.	1,994.32
Caplan, M.	2,828.20
Charters, R.	2,063.33
Collins, C.	2,146.27
Copps, G.	nil
D'Amico, F.	1,413.36
Drury, D.	1,971.85
Eisenberger, F.	2,266.18
Jackson, T.	244.26**
Kiss, M.	244.26**
McCulloch, W.	244.26**
Merling, H.	244.26**
Morelli, B.	244.26**
Morrow, R.	26,033.84
Ross, D.	3,564.78
Wilson, D.	<u>244.26**</u>
	<u>\$47,786.20</u>

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, G.	\$319.75
Rogers, P.	601.46
Kamath, R.	<u>1,787.66</u>
	<u>\$2,708.87</u>

(c) H.E.C.F.I. Appointees

Alderman T. Anderson	<u>\$1,798.84</u>
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(d) Parking Authority Appointees

Alderman V. Agro	<u>\$642.36</u>
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REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the Cab Driver Licence Renewal Application of Robert George Fennell be denied.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRPERSON
LICENSING COMMITTEE**

**Stella Glover
Secretary
1997 February 12**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That Alderman B. Charters be appointed Chairman of the Committee of the Whole for the period of March, April and May, 1997.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1997 February 25

JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report for 1997 and respectfully recommends:

1. (a) That the administration fee charged on tax arrears properties after the one year redemption period has expired be increased from \$400. to \$885. effective January 1, 1997;
- (b) That the 1997 Recreation Department Rates and Fees attached hereto as Schedules "A" to "E" be approved;
- (c) That the Hamilton Fire Department Service Fee Schedule, attached herewith and marked as Schedule "F" be approved;
- (d) That the Planning Tariff Fees for 1997, with the exception of the fees for condominiums and plans of subdivision, as shown on Schedule "G", be approved;
- (e) That the Planning Tariff fees for condominiums and plans of subdivision be tabled until such time as the Hamilton and Halton Homebuilders Association has commented on these fees;
- (f) That the City Solicitor be authorized to prepare the necessary amending By-Laws to reflect the changes.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 16.

NAYS: Mayor Morrow. -1.

CARRIED.

2. That the Legislature of the Province of Ontario be requested to hold public hearings in the City of Hamilton on Bill 84. **ADDED.**

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 February 25

Department of Culture and Recreation
SUMMARY OF USER FEE INCREASES
1997

WINTER (Oct. 1-May 1)	1996 RATE	1997 RATE
Recreational House League Hockey	\$ 55	\$ 55 (Frozen)
Hub Hockey	\$ 63	\$ 63 (Frozen)
Rep. Hockey	\$ 70	\$ 70 (Frozen)
Ringette	\$ 55 \$63 (Select)	\$ 55 \$63 (Frozen)
Sledge Hockey	\$ 45	\$ 45 (Frozen)
Can Skate	\$ 80	\$ 80
Figure Skating Clubs	\$ 80	\$ 80
Figure Skating - Recreational	\$ 80	\$ 55 (New)
Power Skating	\$135	\$135
Private Rentals: Prime Time	\$135	\$135
Non-Prime	\$ 90	\$ 90
Tournament: Youth	\$ 80	\$ 80
Adult	\$135	\$135
Department Affiliated Organizations	\$ 85	\$ 85
Year Round Figure Skating Practice Card	\$ 70	\$ 70 (Frozen)

CHEDOKE TWIN PAD RATES (Oct. 1-May 1)

Recreational House League Hockey	\$ 55	\$ 55 (Frozen)
Hub Hockey	\$ 63	\$ 63 (Frozen)
Rep. Hockey	\$ 70	\$ 70 (Frozen)
Ringette	\$ 55 \$63 (Select)	\$ 55 \$63 (Frozen)
Sledge Hockey	\$ 45	\$ 45 (Frozen)
Can Skate	\$ 80	\$ 80
Figure Skating Clubs	\$ 80	\$ 80
Figure Skating - Recreational	\$ 80	\$ 55 (New)
Power Skating	\$135	\$135
Private Rentals: Prime Time	\$160	\$160
Non-Prime	\$130	\$130
Tournament: Youth	\$106	\$106
Adult	\$106	\$106
Department Affiliated Organizations	\$ 85	\$ 85
Year Round Figure Skating Practice Card	\$ 70	\$ 70 (Frozen)

SUMMER CHEDOKE TWIN PAD ARENA (May 1 - Oct. 1)

			1996 RATE	1997 RATE
Adult	Non-Prime	6a.m.-5p.m. weekdays	130	130
	Prime Time	5p.m.-2:00a.m.	160	160
	Weekends	6a.m.-2:00a.m.	160	160
Youth	Non-Prime	6a.m.-5p.m. weekdays	106	106
	Prime Time	5p.m.-2:00a.m.	106	106
	Weekends	6a.m.-2:00a.m.	106	106

ARENAS SUMMER SURFACE (NON-ICE) (May 1-Sept. 30)

Men's Ball Hockey:	Youth	\$ 35	\$ 35
	Adult	\$ 50	\$ 50
In-Line Skating:	Youth	\$ 35	\$ 35
	Adult	\$ 50	\$ 50
Lacrosse:	Youth	\$ 35	\$ 35
	Select	\$ 45	\$ 45
Tournaments:		\$ 60	\$ 60

ARENAS SUMMER ICE:

Youth	\$106	\$106
Adult	\$155	\$155
Tournament Youth	\$106	\$106
Adult	\$155	\$155

Department of Culture & Recreation
SUMMARY OF USER FEE INCREASES
1997

MUSEUMS

FACILITY	CATEGORY	1996 RATE	1997 RATE
Dundurn Includes Military Museum Admission	Adult	\$ 6.00	\$ 6.00
	Senior	\$ 5.50	\$ 5.50
	Student	\$ 5.00	\$ 5.00
	Child	\$ 2.50	\$ 2.50
	Family	\$16.00	\$16.00
Military Museum	Adult	\$ 2.00	\$ 2.00
	Senior	\$ 1.75	\$ 1.75
	Student	\$ 1.75	\$ 1.75
	Child	\$ 1.50	\$ 1.50
Steam Museum	Adult	\$ 3.50	\$ 3.50
	Senior	\$ 3.00	\$ 3.00
	Student	\$ 2.50	\$ 2.50
	Child	\$ 2.00	\$ 2.00
	Programmes (Full Day)	N/A	\$4.00 (New)
	Family	\$10.00	\$10.00
Whitehern	Adult	\$ 3.50	\$ 3.50
	Senior	\$ 3.00	\$ 3.00
	Student	\$ 2.50	\$ 2.50
	Child	\$ 2.00	\$ 2.00
	Family	\$10.00	\$10.00
Children's Museum	Child	\$ 2.50	\$ 2.50
	Adult Accompanying Child	Free	Free
	Adult/Other (14 years and over)	N/A	\$1.00 (New)
	Friends Membership	\$ 5.00	\$ 5.00
	Adult Pass (All Museums)	\$10.00	\$10.00 (New)

Hamilton Civic Golf Courses 1997 Rates & Fees

City-Wide Membership	1996	1997
Adult	\$950	\$1,050
Adult - non-resident	\$1,050	\$1,150
Couples	\$1,800	\$2,000
Couples-non-resident	\$1,900	\$2,100
Family	\$2,275	\$2,300
Family - non-resident	\$2,375	\$2,400
Junior	\$475	\$350
Junior - non-resident	\$575	\$450
Intermediate	\$570	\$630
Intermediate - non-resident	\$670	\$730
Pensioner	\$665	\$735
Pensioner - non-resident	\$765	\$835
Weekday Only (5 Days)	\$665	\$735
Weekday Only - non-resident	\$765	\$835

King's Forest (only)	1996	1997
Adult	\$850	\$950
Adult - non-resident	\$950	\$1,050
Couples	\$1,600	\$1,800
Couples-non-resident	\$1,700	\$1,900
Family	\$2,025	\$2,000
Family - non-resident	\$2,125	\$2,100
Junior	\$425	\$250
Junior - non-resident	\$525	\$350
Intermediate	\$510	\$570
Intermediate - non-resident	\$610	\$670
Pensioner	\$595	\$665
Pensioner - non-resident	\$695	\$765
Weekday Only (5 Days)	\$595	\$665
Weekday Only - non-resident	\$695	\$765

Chedoke-Martin (only)	1996	1997
Adult	\$645	\$645
Adult - non-resident	\$745	\$745
Couples	\$1,180	\$1,180
Couples-non-resident	\$1,290	\$1,290
Family	\$1,340	\$1,340
Family - non-resident	\$1,440	\$1,440
Junior	\$150	\$150
Junior - non-resident	\$250	\$250
Intermediate	\$400	\$400
Intermediate - non-resident	\$500	\$500
Pensioner	\$430	\$430
Pensioner - non-resident	\$530	\$530
Weekday Only (5 Days)	\$430	\$430
Weekday Only - non-resident	\$530	\$530

Chedoke - Beddoe	1996	1997
18 Holes	\$26.00	\$28.00
Pensioner/Jr.	\$19.00	\$21.00
Twilight	\$17.00	\$19.00
Chedoke - Martin		
18 Holes	\$22.00	\$24.00
Pensioner/Jr.	\$15.00	\$17.00
Twilight	\$13.00	\$15.00
King's Forest		
18 Holes	\$28.00	\$30.00
Pensioner/Jr.	\$21.00	\$23.00
Twilight	\$19.00	\$21.00

GREEN FEES

Chedoke - Martin/Beddoe	1996	1997
Adult	\$780	\$900
Adult - non-resident	\$880	\$1,000
Couples	\$1,460	\$1,700
Couples-non-resident	\$1,560	\$1,800
Family	\$1,850	\$2,000
Family - non-resident	\$1,950	\$3,000
Junior	\$390	\$300
Junior - non-resident	\$490	\$400
Intermediate	\$468	\$540
Intermediate - non-resident	\$568	\$640
Pensioner	\$546	\$630
Pensioner - non-resident	\$646	\$730
Weekday Only (5 Days)	\$546	\$630
Weekday Only - non-resident	\$646	\$730

Chedoke - Beddoe (only)	1996	1997
Adult	\$750	\$850
Adult - non-resident	\$850	\$950
Couples	\$1,400	\$1,600
Couples-non-resident	\$1,500	\$1,700
Family	\$1,775	\$1,800
Family - non-resident	\$1,875	\$1,900
Junior	\$375	\$250
Junior - non-resident	\$475	\$350
Intermediate	\$450	\$510
Intermediate - non-resident	\$550	\$610
Pensioner	\$525	\$595
Pensioner - non-resident	\$625	\$695
Weekday Only (5 Days)	\$525	\$595
Weekday Only - non-resident	\$625	\$695

Department of Culture & Recreation
SUMMARY OF USER FEE INCREASES
1997

HAMILTON CIVIC GOLF COURSES

See attached sheet.

Department of Culture and Recreation
SUMMARY OF USER FEE INCREASES
1997

INDOOR POOL RENTALS: (Clubs and Weekly Use Groups)

	1996	1997
Youth	\$10.00	\$20.00
	per hour	per hour
Adult	\$30.00	\$40.00
	per hour	per hour

- Youth Rates - A \$10. per hour increase per year to be considered for implementation over a five year period to reach the proposed fee of \$50. per hour.
- Adult Rates - A yearly increase is to be applied based on market conditions in an effort to reduce the subsidy toward the zero level.
- The above rates include two lifeguards and apply to regularly scheduled club times. Additional events/periods beyond the norm will require that, at the supervisor's discretion, the group pay the total cost of lifeguard staff plus the rental rate. A rate of \$20. per hour will be applied to each additional lifeguard as required.
- Increases to become effective 1996 September 1.

COOPERATIVE NURSERY SCHOOLS:

\$ 5.00	\$10.00
per half day	per half day
	effective September 1

CAMP KIDACA 6 (Beach Strip):

\$45.00 four-day	\$50.00 four-day
July 1st Week	July 1st Week
\$55.00	\$60.00
all other weeks	all other weeks

- Both rates effective Summer of 1997 Registrations

**COMMUNITY ACTIVITIES PROGRAM
& CANADIAN MENTAL HEALTH ASSOCIATION:**

Recreation Centre	\$5.00 per day
Membership	Plus Recreation Centre
	Membership
	effective January 1

Department of Culture & Recreation
SUMMARY OF USER FEE INCREASES
1997

MINOR FACILITIES - YOUTH	1996	1997
Weekdays	\$2.25 per day	\$2.25 per day (Frozen)
Weekend days - less than six hours	\$2.25 per day	\$2.25 per day (Frozen)
Weekend days - more than six hours	\$4.50 per day	\$4.50 per day (Frozen)
Maximum per field per season (Frozen)	\$140.00 maximum	\$140.00 maximum

MINOR FACILITIES - ADULT

Weekdays	\$11.00 per day	\$5.50 per hour
Weekend days - less than six hours	\$11.00 per day	\$5.50 per hour
Weekend days - more than six hours	\$22.00 per day	\$5.50 per hour
Maximum per field per season	\$840.00 maximum	NO maximum

HAMILTON FIRE DEPARTMENT
SERVICE FEE SCHEDULE

Item #	Service	Present Fee (includes G.S.T.)	Proposed Fee (includes G.S.T.)	Change (includes G.S.T.)
1	Copy of fire response report	\$19.26	\$19.26	
2	File searches - outstanding work orders	\$28.00 (G.S.T. n/a)	\$40.00 (G.S.T. n/a)	\$12.00 (G.S.T. n/a)
3	Inspection of private home day care facilities	\$36.38	\$36.38	
4	Inspection of foster care homes with capacity $\leq$ 4, and group homes with capacity $\leq$ 3	\$36.38	\$36.38	
5	Inspection of single family dwellings	\$36.38	\$36.38	
6	Inspection of two family dwellings	\$36.38	\$214.00	\$177.62
7	Inspection of L.L.B.O. licence requests (indoor)	\$117.70	\$117.70	
8	Inspection of L.L.B.O. licence requests (patio)	\$117.70	\$53.50	- \$64.20
9	Inspection of foster care homes with capacity $>$ 4, and group homes with capacity $>$ 3	\$171.20	\$171.20	
10	Inspection of residential buildings $\leq$ 3 storeys with $\geq$ 3 units / apartments	\$374.50	\$374.50	
11	Inspection of residential buildings 4, 5 or 6 storeys	\$374.50	\$642.00	\$267.50
12	Inspection of licenced day care centres	\$107.00	\$107.00	
13	Inspection of non-residential buildings (shopping malls, industrial complexes, etc.) in terms of size / area: $\leq$ 4 storeys - small size $>$ 4 storeys - small size $>$ 4 storeys - medium size $>$ 4 storeys - large size	\$171.20 \$406.60 \$481.50 \$642.00	\$171.20 \$406.60 \$481.50 \$642.00	
14	Inspection of residential buildings $>$ 6 storeys: 6 - 11 storeys 12 - 18 storeys $>$ 18 storeys	\$406.60 \$481.50 \$642.00	\$ 642.00 \$ 856.00 \$1,070.00	\$235.40 \$374.50 \$428.00
15	Requests for Fire Route establishment - new and review of existing		\$160.50	\$160.50
16	Requests for Environmental file searches		\$300.00 (G.S.T. n/a)	\$300.00 (G.S.T. n/a)
17	Open-air Burning requests		\$107.00	\$107.00
18	Request for clearance/status letters		\$20.00 (G.S.T. n/a)	\$20.00 (G.S.T. n/a)

PLANNING AND DEVELOPMENT DEPARTMENT FEES

	CURRENT FEE	1997 FEE
1. Rezoning		
- Routine	\$865	\$885
- Complex - Phase 1	\$1,120	\$1,145
- Complex - Phase 2	\$610	\$625
2. Official Plan Amendment		
- Phase 1	\$1,120	\$1,145
- Phase 2	\$610	\$625
3. Site Plan Control		
- applications	\$1,120	\$1,140
- revisions to plans	\$410	\$420
- preliminary review	n/a	\$420
- exemption requests	n/a	\$80
4. Plans of Subdivision		
- simple	\$560	\$560
- complex	\$1,020	\$1,020
- administration of files > 5 years	n/a	n/a
- revisions	\$355	\$355
5. Plan of Condominium		
- new buildings	\$560	\$560
- Conversion - Phase 1	\$1,000	\$1,000
	plus \$20 unit (max. \$800)	plus \$20 unit (max. \$800)
- Conversion - Phase 2	\$250	\$250
- revisions	\$355	\$355
6. Part Lot Control		
- applications	\$300	\$500
- extensions	n/a	\$250
7. Rental Housing Protection Act Applications (except severance RHPA)		
- Phase 1	\$1,000 plus \$20 unit (max. \$800)	\$4,300
- Phase 2	\$250	\$2,000 plus \$20 unit for condo conversions
- Severance	n/a	\$3,000
8. Property Reports	\$40	\$80
9. Municipal Numbers	n/a	\$80
10. Street Name Change	\$3,700	\$4,155

URBAN MUNICIPAL
CA4 ON HBL A05
M21
1997

1997 February 28

Minutes of the Special
City Council Meeting
Friday, 1997 February 28
3:45 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

MAR 7 1997

GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins,
Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Wilson and seconded by Alderman Ross that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling,
Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico,
Ross. -7. **CARRIED.**

COMMITTEE OF THE WHOLE - SECOND REPORT

Local Government Restructuring

Recorded vote on Section 1

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling,
Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico,
Ross. -7. **CARRIED.**

* * * * *

Recorded vote on Section 2

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7. **CARRIED.**

* * * * *

It was moved by Alderman Anderson and seconded by Alderman Morelli that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7. **CARRIED.**

* * * * *

City Council then adjourned at 3:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1997 February 28
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That Hamilton City Council go on record as favouring the report prepared by M.P.P. Tony Skarica dated February 23, 1997 and rejects the recommendations of Parliamentary Assistant Hardeman with respect to the restructuring of municipal government in Hamilton-Wentworth, subject to the following conditions:
 - (i) That the Red Hill Creek Expressway be funded on the basis of pooled equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook.
 - (ii) That a transit system be operated and owned by the City of Hamilton.
 - (iii) That the funding of health and social services, social housing and long term care be based on pool equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, and be administered by the City of Hamilton.
 - (iv) That the City of Hamilton be designated as the coordinator for emergency preparedness on behalf of Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, based on pooled equalized assessment.
 - (v) That all municipalities - Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook be responsible for all transition costs based on pooled equalized assessment.
 - (vi) That this document in no way over-ride all rights conferred to municipalities by virtue of the provincial Municipal Act.
- (b) That the Minister of Municipal Affairs be so advised.

Recorded vote:

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson.- 10

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger,
D'Amico, Ross. -7 **CARRIED.**

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-1: A By-law to confirm the proceedings of the Council of the Corporation of the City
of Hamilton.

Recorded vote.

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling,
Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico,
Ross. -7. **CARRIED.**

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 February 28

URBAN MUNICIPAL
CAP ON HCL AOS
M21
1997

1997 March 3

Minutes of the Special
City Council Meeting
Monday, 1997 March 3
2:50 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

MAR 10 1997

GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins,
Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico,
Ross. -17

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - THIRD REPORT

1997 Current Budget

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico,
Ross. -17

NAYS: -0.

CARRIED.

1997 March 3

* * * * *

City Council then adjourned at 2:55 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1997 March 3
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRD** Report for 1997 and respectfully recommends:

1. (a) That the 1997 Revenue and Expenditure estimates in the amount of \$162,288,650 incorporating the changes referred to in Appendix "A" and "C" for the City of Hamilton, and representing a 0% increase in the tax (mill) rate, be approved.
- (b) That the necessary by-law(s) to establish the 1997 mill rate for the City of Hamilton, on the basis of the foregoing revenue and expenditure estimates, be prepared and forwarded to Council for appropriate readings.
2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-2: A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 March 3

CITY OF HAMILTON
SUMMARY OF 1997 NET ESTIMATES BY COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	Mgmt Team			1997		Committee/ Council Adjustments (7)	1997		Increase / (Decrease)	
	1996 Estimate (3)	1997 Maintenance Budget (4)	Recommended Reduction Packages (5)	Original Estimate (4+5) (6)	Resultant Appropriation (6+7) (8)		Over 1996 Estimate			
							Amount (8-3) (9)	Percent (9/3) (10)		
Finance And Administration	(46,200,710)	(42,047,180)	(2,047,940)	(44,095,120)	(317,430)	(44,412,550)	1,788,160	3.9%		
Parks And Recreation	19,942,920	19,889,390	(466,110)	19,423,280	24,000	19,447,280	(495,640)	-2.5%		
Planning And Development	3,886,880	3,946,770	(256,720)	3,690,050	0	3,690,050	(196,830)	-5.1%		
Transport And Environment	22,370,910	21,130,970	(149,180)	20,981,790	293,430	21,275,220	(1,095,690)	-4.9%		
Total Net Estimates	(0)	2,919,950	(2,919,950)	0	0	0	0	0		

INCREASE %	
\$	MILL RATE
0	0.00%

Revenue	164,330,830	160,500,830	162,288,650	(2,042,180)	-1.24%	\$0.00
Expenditure	164,330,830	163,420,780	162,288,650	(2,042,180)	-1.24%	
	(0)	2,919,950	0	0		

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1997 March 3

Appendix "A" as referred to
in Section 1 of the THIRD
Report of the Committee of
the Whole for 1997.

10:51:19 AM 06-Mar-97

**SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS
UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997**

Description (1)	1996 Estimate (2)	1997 Maintenance Budget (3)	Mgmt Team Recommended Reduction Packages (4)	1997 Original Estimate (3+4) (5)	Committee/ Council Adjustments (6)	1997 Resultant Appropriation (5+6) (7)	Increase / (Decrease) Over 1996 Estimate	
							Amount (7-2) (8)	Percent (8/2) (9)
Legislative	1,373,240	1,391,960	0	1,391,960	0	1,391,960	18,720	1.4%
- Revenues								
Net Operations	1,373,240	1,391,960	0	1,391,960	0	1,391,960	18,720	1.4%
City Clerk - Expenditures	2,887,960	2,914,620	(38,290)	2,876,330	0	2,876,330	(11,630)	-0.4%
- Revenues	2,424,840	2,899,930		2,899,930		2,899,930	475,090	19.6%
Net Operations	463,120	14,690	(38,290)	(23,600)	0	(23,600)	(486,720)	-105.1%
C.A.O.'s Office	219,650	218,740	(6,000)	212,740	0	212,740	(6,910)	-3.1%
Fire - Expenditures	30,761,420	30,725,070	(209,760)	30,515,310	377,570	30,892,880	131,460	0.4%
- Revenues	83,720	104,720		104,720		104,720	21,000	25.1%
Net Operations	30,677,700	30,620,350	(209,760)	30,410,590	377,570	30,788,160	110,460	0.4%
Human Resources	1,742,950	1,775,630	(50,000)	1,725,630	0	1,725,630	(17,320)	-1.0%
Property:								
- Real Estate	803,550	811,890	(275,000)	536,890	0	536,890	(266,660)	-33.2%
- Revenues	26,720	26,860		26,860		26,860	140	0.5%
Net Operations	776,830	785,030	(275,000)	510,030	0	510,030	(266,800)	-34.3%
- Property Maintenance	5,836,550	5,793,300	0	5,793,300	0	5,793,300	(43,250)	-0.7%
- Revenues	684,560	667,370		667,370		667,370	(17,190)	-2.5%
Net Operations	5,151,990	5,125,930	0	5,125,930	0	5,125,930	(26,060)	-0.5%
- Central Utilities Plant	2,600,030	2,551,110	0	2,551,110		2,551,110	(48,920)	-1.9%
Total Property	8,528,850	8,462,070	(275,000)	8,187,070	0	8,187,070	(341,780)	-4.0%

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**SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS
UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997**

1997 March 3

Description (1)	1996 Estimate (3)	Mgmt Team		1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate	
		1997 Maintenance Budget (4)	Recommended Reduction Packages (5)				Amount (8-3) (9)	Percent (9/3) (10)
Law	1,590,730	1,569,330	(27,000)	1,542,330	0	1,542,330	(48,400)	-3.0%
Information Systems	3,656,140	3,784,740	(236,090)	3,548,650	0	3,548,650	(107,490)	-2.9%
Treasury:								
- Finance	3,312,630	3,400,170	(95,000)	3,305,170	0	3,305,170	(7,460)	-0.2%
- Revenues	301,260	385,630	10,000	395,630		395,630	94,370	31.3%
Net Operations	3,011,370	3,014,540	(105,000)	2,909,540	0	2,909,540	(101,830)	-3.4%
- Purchasing	317,090	330,250	(20,400)	309,850	0	309,850	(7,240)	-2.3%
- Revenues	18,000	18,000		18,000		18,000	0	0.0%
Net Operations	299,090	312,250	(20,400)	291,850	0	291,850	(7,240)	-2.4%
Total Treasury	3,310,460	3,326,790	(125,400)	3,201,390	0	3,201,390	(109,070)	-3.3%
Total Departments	51,562,840	51,164,300	(967,540)	50,196,760	377,570	50,574,330	(988,510)	-1.9%

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**SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS
UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997**

Description (1)	1996 Estimate (3)	1997		Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate	
		Maintenance Budget (4)						Amount (8-3) (9)	Percent (9/3) (10)
Library :									
- Expenditures	16,074,870	16,190,820		(500,000)	15,690,820	0	15,690,820	(384,050)	-2.4%
- Revenues	1,328,600	1,053,600		0	1,053,600	0	1,053,600	(275,000)	-20.7%
City Funding Request	14,746,270	15,137,220		(500,000)	14,637,220	0	14,637,220	(109,050)	-0.7%
Parking Authority :									
- Expenditures	4,039,290	0		0	0		0	(4,039,290)	-100.0%
- Revenues	4,445,060	0		0	0		0	(4,445,060)	-100.0%
Surplus / (Deficit) prior to Debt Charges	405,770	0		0	0		0	(405,770)	-100.0%
Deduct: Debt charges	0	0			0		0	0	ERR
Net Surplus/(Deficit)	405,770	0		0	0		0	(405,770)	-100.0%
* No Mill Rate Impact - 1997 Budget to be Finalized									
Hamilton Entertainment And Convention Facilities, Inc. (H.E.C.F.I.)									
- Expenditures	9,084,630	9,503,540		(28,120)	9,475,420	0	9,475,420	390,790	4.3%
- Revenues	6,682,340	7,011,300		111,830	7,123,130	0	7,123,130	440,790	6.6%
City Contribution	2,402,290	2,492,240		(139,950)	2,352,290	0	2,352,290	(50,000)	-2.1%
Total Local Boards	17,148,560	17,629,460		(639,950)	16,989,510	0	16,989,510	(159,050)	-0.9%

**SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS
UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997**

1997 March 3

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate	
							Amount (8-3) (9)	Percent (9/3) (10)
Other Budgets :								
Mayor's Race Relations Committee	12,180	12,180		12,180		12,180	0	0.0%
H.S.P.C.A.	846,130	1,141,260	(295,130)	846,130	0	846,130	0	0.0%
Mundialization Committee	7,540	7,540		7,540	0	7,540	0	0.0%
Status Of Women	11,280	11,280		11,280	0	11,280	0	0.0%
Promotion And Public Relations	35,000	35,000		35,000	0	35,000	0	0.0%
Civic Awards, Receptions, Delegation Hostings	65,000	65,000		65,000	0	65,000	0	0.0%
Grants	384,430	382,890		382,890	0	382,890	(1,540)	-0.4%
Total Other Budgets	1,361,560	1,655,150	(295,130)	1,360,020	0	1,360,020	(1,540)	-0.1%
Sub-Total Finance & Administration	70,072,960	70,448,910	(1,902,620)	68,546,290	377,570	68,923,860	(1,149,100)	-1.6%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

1997 March 3

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate	
							Amount (8-3) (9)	Percent (9/3) (10)
Financial Expenditures:								
Owner's Debt – Locals	364,990	364,990	0	364,990		364,990	0	0.0%
Capital Levy (3 Mills)	2,015,000	2,007,000	0	2,007,000		2,007,000	(8,000)	-0.4%
Prov. – Debt Reserve	15,059,000	15,059,000	0	15,059,000		15,059,000	0	0.0%
Prov. – Other Reserves	4,550,150	3,549,370		3,549,370	0	3,549,370	(1,000,780)	-22.0%
Financial – Various	6,736,400	5,224,420	0	5,224,420	0	5,224,420	(1,511,980)	-22.4%
Capital Programs	93,200	372,900	0	372,900		372,900	279,700	300.1%
Social Contract	(44,000)	(33,000)	0	(33,000)		(33,000)	11,000	-25.0%
Miscellaneous	545,000	545,000	575,000	1,120,000	50,000	1,170,000	625,000	114.7%
Total Financial Expend.	29,319,740	27,089,680	575,000	27,664,680	50,000	27,714,680	(1,605,060)	-5.5%

Financial Revenues:									
Tax., Supp's, Special Assessm	116,625,410	115,771,730			115,771,730		115,771,730	(853,680)	-0.7%
Provincial Grants	9,130,720	6,140,860			6,140,860		6,140,860	(2,989,860)	-32.7%
Payments - In - Lieu	7,518,900	7,359,990			7,359,990		7,359,990	(158,910)	-2.1%
Reserves	2,990,000	2,014,000		720,320	2,734,320	745,000	3,479,320	489,320	16.4%
Capital Programs	0	0			0		0	0	
Financial Accounts	9,328,380	8,299,190			8,299,190		8,299,190	(1,029,190)	-11.0%
Total Financial Revenues	145,593,410	139,585,770		720,320	140,306,090	745,000	141,051,090	(4,542,320)	
Total Finance And Administration	(46,200,710)	(42,047,180)		(2,047,940)	(44,095,120)	(317,430)	(44,412,550)	1,788,160	3.9%

**SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS
UNDER THE JURISDICTION OF THE PARKS AND RECREATION COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997**

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate		
							Amount (8-3) (9)	Percent (9/3) (10)	
Public Works :									
Cemeteries Division	2,634,100	2,638,410	(20,120)	2,618,290	0	2,618,290	(15,810)	-0.6%	
- Revenues	1,531,420	1,534,300		1,534,300		1,534,300	2,880	0.2%	
Net Operations	1,102,680	1,104,110	(20,120)	1,083,990	0	1,083,990	(18,690)	-1.7%	
Parks Division	8,027,460	7,847,690		7,847,690	24,000	7,871,690	(155,770)	-1.9%	
- Revenues	3,150	48,500		48,500		48,500	45,350	1439.7%	
Net Operations	8,024,310	7,799,190	0	7,799,190	24,000	7,823,190	(201,120)	-2.5%	
Total Public Works	9,126,990	8,903,300	(20,120)	8,883,180	24,000	8,907,180	(219,810)	-2.4%	
Culture And Recreation :									
Recreation	14,969,100	16,221,530	(312,600)	15,908,930	0	15,908,930	939,830	6.3%	
- Revenues	5,879,920	6,773,310	110,500	6,883,810		6,883,810	1,003,890	17.1%	
Net Operations	9,089,180	9,448,220	(423,100)	9,025,120	0	9,025,120	(64,060)	-0.7%	
Culture	2,087,100	2,130,200	(8,690)	2,121,510	0	2,121,510	34,410	1.6%	
- Revenues	398,450	630,430	2,000	632,430		632,430	233,980	58.7%	
Net Operations	1,688,650	1,499,770	(10,690)	1,489,080	0	1,489,080	(199,570)	-11.8%	
Hamilton - Scourge Project	26,100	26,100	(12,200)	13,900	0	13,900	(12,200)	-46.7%	
Total Culture And Recreation	10,803,930	10,974,090	(445,990)	10,528,100	0	10,528,100	(275,830)	-2.6%	
Veteran's Committee	12,000	12,000		12,000		12,000	0	0.0%	
Total Parks & Recreation	19,942,920	19,889,390	(466,110)	19,423,280	24,000	19,447,280	(495,640)	-2.5%	

**SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS
UNDER THE JURISDICTION OF THE PLANNING AND DEVELOPMENT COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997**

1997 March 3

Description (1)	1996 Estimate (3)	1997		Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate	
		Maintenance Budget (4)	1997 Estimate (3)					Amount (8-3) (9)	Percent (9/3) (10)
Building	4,539,600	4,673,720	4,539,600	10,380	4,684,100	0	4,684,100	144,500	3.2%
- Revenues	2,151,360	2,236,330	2,151,360	200,000	2,436,330		2,436,330	284,970	13.2%
Net Operations	2,388,240	2,437,390	2,388,240	(189,620)	2,247,770	0	2,247,770	(140,470)	-5.9%
Municipal Non-Profit (Hamilton) Housing	255,430	276,310	255,430		276,310	0	276,310	20,880	8.2%
**Committee Of Adjustment	11,000	11,000	11,000		11,000		11,000	0	0.0%
Planning	1,647,900	1,658,640	1,647,900	(67,100)	1,591,540	0	1,591,540	(56,360)	-3.4%
- Revenues	160,260	160,260	160,260		160,260		160,260	0	0.0%
Net Operations	1,487,640	1,498,380	1,487,640	(67,100)	1,431,280	0	1,431,280	(56,360)	-3.8%
Total Planning And Development	3,886,880	3,946,770	3,886,880	(256,720)	3,690,050	0	3,690,050	(196,830)	-5.1%

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SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE TRANSPORT AND ENVIRONMENT COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

1997 March 3

Description (1)	1996 Estimate (3)	1997		Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate	
		Maintenance Budget (4)						Amount (8-3) (9)	Percent (9/3) (10)
Public Works :									
- Traffic - For City	6,034,950	6,113,410		(149,180)	5,964,230	148,430	6,112,660	77,710	1.3%
- Revenues	4,088,410	4,117,960			4,117,960		4,117,960	29,550	0.7%
Net Operations	1,946,540	1,995,450		(149,180)	1,846,270	148,430	1,994,700	48,160	2.5%
- Streets & Sanitation	21,058,500	19,721,680			19,721,680	145,000	19,866,680	(1,191,820)	-5.7%
- Revenues	910,480	1,240,990			1,240,990		1,240,990	330,510	36.3%
Net Operations	20,148,020	18,480,690		0	18,480,690	145,000	18,625,690	(1,522,330)	-7.6%
- Fleet Services (Gross)	9,854,210	9,489,500			9,489,500		9,489,500	(364,710)	
- Revenues	(383,890)	0			0		0	383,890	
Net Operations	(383,890)	0		0	0	0	0	383,890	0.0%
- City Garage (Gross)	1,225,210	1,136,390			1,136,390		1,136,390	(88,820)	
- Revenues	0				0		0	0	
Net Operations	(20,540)	0		0	1,136,390			20,540	
Total Public Works	21,690,130	20,476,140		(149,180)	20,326,960	293,430	20,620,390	(1,069,740)	-4.9%
Services Purchased From The Region:									
- Local Roads	755,650	725,300			725,300		725,300	(30,350)	-4.0%
- Revenues	74,870	70,470			70,470		70,470	(4,400)	-5.9%
Net Operations	680,780	654,830		0	654,830	0	654,830	(25,950)	-3.8%
Total Services - Region	680,780	654,830		0	654,830	0	654,830	(25,950)	-3.8%
Total Transport And Environment	22,370,910	21,130,970		(149,180)	20,981,790	293,430	21,275,220	(1,095,690)	-4.9%

The Corporation of the City of Hamilton
1997 Budget Reduction Packages
Approved by City Council February 25 and March 3, 1997

Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V) / Filled (F)
1	Building	BLDG1	Reduction of Staff – 1 Customer Service Rep.	47,990	47,990	1.0	V
2	Building	BLDG2	Implement Mobile Sign By-law – add 1 Inspector – COUNCIL APPROVED FEB 25	76,720	141,630	-1.0	add 1 FTE
				124,710	189,620	0.0	
3	CAO	CAO1	Reduce Corporate Staff Training	6,000	6,000	0.0	
4	Clerks	CLERK1	Reduction of Staff – 1 Legislative Stenographer II	38,290	38,290	1.0	V
5	Cult&Rec.	C&R1	Golf Course – COUNCIL APPROVED FEB 25	50,000	50,000	0.0	
6	Cult&Rec.	C&R2	Recreation User Fee Increases – COUNCIL APPROVED FEB 25	5,900	30,500	0.0	
7	Cult&Rec.	C&R3	Children's Museum User Fee Increase – COUNCIL APPROVED FEB 25	2,000	2,000	0.0	
8	Cult&Rec.	C&R4	Hamilton Scourge Operating Reduction	12,200	12,200	0.0	
9	Cult&Rec.	C&R5	Reduced Advertising Brochure	15,000	15,000	0.0	
10	Cult&Rec.	C&R6	Whitehern Museum Operation	8,690	8,690	0.0	
11	Cult&Rec.	C&R7	Reduced funding for Children's International Games	35,000	35,000	0.0	
12	Cult&Rec.	C&R8	Operating Efficiencies Arena Operations	50,000	50,000	0.0	
13	Cult&Rec.	C&R9	Reduction of Staff – 1 Centre Supervisor	66,000	66,000	1.0	V
14	Cult&Rec.	C&R10	Reduce Rosedale Tennis Grant	6,000	6,000	0.0	
15	Cult&Rec.	C&R11	Reduce Grants to Lawnbowling Clubs	8,800	8,800	0.0	
16	Cult&Rec.	C&R12	Kiwanis Club Property Tax Exemption	28,200	28,200	0.0	
17	Cult&Rec.	C&R13	Op. Efficiencies at Rec. & Seniors Centres, Outdoor Pools, KIDACA	115,000	133,600	0.0	
				402,790	445,990	1.0	
18	Fire	FIRE1A	Reduction of staff – 5 Fire Fighters	209,760	209,760	5.0	V
19	Human Resources	HRC1	Reduction in Labour Relations – To be determined by Mgmt Team/Dept Head	40,000	40,000	0.0	
20	Human Resources	HRC2	Eliminate Outreach program for Firefighting recruiting	10,000	10,000	0.0	
				50,000	50,000	0.0	
21	Information Sys	INFO1	Reduction of staff – 1 Programmer & 1 Temp Data Entry	76,090	76,090	2.0	V
22	Information Sys	INFO2	Budget Adjustment – To be determined by Mgmt Team/Dept Head	160,000	160,000		
				236,090	236,090	2.0	V

1997 March 3

 NOTE: Indicates that item was approved by COUNCIL Feb 25 as part of the User Fee Report.

03/06/97

The Corporation of the City of Hamilton
1997 Budget Reduction Packages
Approved by City Council February 25 and March 3, 1997

23	Law	LAW1	Outside Agencies – delete entire line item	4,500	4,500	0.0	
24	Law	LAW2	Training	6,000	6,000	0.0	
25	Law	LAW3	Decrease various line items	4,500	4,500	0.0	
26	Law	LAW4	Outside Counsel	12,000	12,000	0.0	
				<u>27,000</u>	<u>27,000</u>	<u>0.0</u>	
27	Planning&Dev.	P&D1	Staff Gapping/Reorganization	67,100	67,100	N/A	
28	Property	PROP1	Budget Adjustment – To be determined by Mgmt Team/Dept Head	<u>275,000</u>	<u>275,000</u>		
29	PW/Traffic	PW-C1	Reduce Cemetery admin. & oper'l costs of installing markers, monuments	20,120	20,120	0.0	
30	PW/Traffic	PW-T1	Reduction of Staff – 2 Cooperative Trans. Planning Student Work Terms	16,540	16,540	0.7	V
31	PW/Traffic	PW-T2	Reduction of Staff – 2 Traffic Signs & Markings Specialists – Financed Reserve for Tax Stabilization	89,850	119,790	2.0	V
32	PW/Traffic	PW-T3	Reduction of Staff Hours – 2 supervised crossing locations during summer months	5,210	5,210	N/A	
33	PW/Traffic	PW-T4	Reduced Staff Hrs – School Crossing Lunch Prog – Mohawk & San – Financed Res for Tax Stabilization	2,460	2,460	N/A	
34	PW/Traffic	PW-T5	Reduced Staff Hrs – School Crossing Lunch Prog – Quigley & THB tracks – Financed Res for Tax	2,510	2,510	N/A	
35	PW/Traffic	PW-T6	Reduced Staff Hrs – School Crossing Lunch Prog – Quinn & Stone Church – Financed Reserve for	2,670	2,670	N/A	
				<u>139,360</u>	<u>169,300</u>	<u>2.7</u>	
36	Treasury	TRSY1	Reduction of Staff – Reorganize Purchasing – delete Buyer & Steno, add 1 Clerical	20,400	20,400	2-1=1	1V, 1F, add 1
37	Treasury	TRSY2	Reduction of Staff – 1 A/P Clerk	38,000	38,000	1.0	V
38	Treasury	TRSY3	Increase Tax Registration Fees – COUNCIL APPROVED FEB 25	<u>10,000</u>	<u>10,000</u>	N/A	
39	Treasury	TRSY4	Implement cost recovery of administration of Benefit Plans	57,000	57,000	N/A	
				<u>125,400</u>	<u>125,400</u>	<u>2.0</u>	
40	Financials	FINCL1	Draw from Tax Stabilization Reserve (see shaded note below)	145,320	145,320	N/A	
			TOTAL RECOMMENDED REDUCTION PACKAGES	<u>1,749,330</u>	<u>1,857,440</u>	<u>11.7</u>	
			TOTAL NOT RECOMMENDED REDUCTION PACKAGES – FINANCED FROM RESERVE FOR TAX STABILIZATION	<u>97,490</u>	<u>127,430</u>	<u>2.0</u>	

1997 March 3

 NOTE: Indicates that item was approved by CITY COUNCIL Feb 25 as part of the User Fee Report.

 NOTE: Indicates that item was approved by CITY COUNCIL March 3 to be funded from Reserve for Tax Stabilization and NOT a reduction package.

03/06/97

The Corporation of the City of Hamilton
1997 Budget Expansion Packages
Approved by City Council March 3, 1997

Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V) / Filled (F)
1	Financials	FINCL1	Increase Special Events Subsidy fund for 1997 only – Financed Reserve for Tax Stabilization	50,000	50,000	0.00	
2	Fire	FIRE1	Re-instate Staffing Level of Fire Prevention Division – Financed Reserve for Capital Equip	41,950	41,950	1.00	F
3	Fire	FIRE2	Re-instate Staffing Level of Fire Prevention Division – Financed Reserve for Capital Equip	335,620	335,620	8.00	V
				377,570	377,570	9.00	
4	PW/Traffic	PW-S1	Traffic Island Beautification (Upper Sherman & Crockett)	30,940	30,940	0.00	
5	PW/Traffic	PW-S2	Traffic Island Beautification (Britannia & Cannont)	18,200	18,200	0.00	
6A	PW/Traffic	PW-P3A	Reinstate Grass Cutting 3 specified Naturalized Areas – Financed Reserve for Tax Stabilization	24,000	24,000	0.00	
6B	PW/Traffic	PW-P3B	Reinstate Grass Cutting in Naturalized Areas	130,000	130,000	0.00	
7	PW/Traffic	PW-S3	Spray & Sweep Weeds in Gutters and Boulevards	40,000	40,000	0.00	
8	PW/Traffic	PW-S4	Forestry – expanded funding for Tree Trimming Grids – Financed Reserve for Tax Stabilization	70,000	70,000	0.00	
9	PW/Traffic	PW-T8	Free Parking in the Downtown – No Enforcement	150,000	150,000	0.00	
10	PW/Traffic	PW-T9	Crossing Guard – Cannon & Lotridge – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
11	PW/Traffic	PW-T10	Crossing Guard – Arnold & Dalewood – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
12	PW/Traffic	PW-T11	Crossing Guard – Barton & Gage – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
13	PW/Traffic	PW-T12	Crossing Guard – Cochrane & Montrose – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
14	PW/Traffic	PW-T13	Crossing Guard – Queen Victoria & Redbury – Financed Reserve for Tax Stabilization	75,000	75,000	0.00	
15	PW/Traffic	PW-T14	Sewer Tree Roots Program – Expanded Funding – Financed Reserve for Tax Stabilization	559,140	559,140	1.50	
			TOTAL RECOMMENDED FINANCED FROM RESERVE FOR TAX STABILIZATION	240,000	240,000	1.50	
			TOTAL RECOMMENDED FINANCED FROM RESERVE FOR CAPITAL EQUIPMENT	377,570	377,570	9.00	
			TOTAL NOT RECOMMENDED EXPANSION PACKAGES	369,140	369,140	0.00	

1997 March 3

NOTE: Indicates that expansion item was not approved by CITY COUNCIL March 3.

03/06/97

URBAN MUNICIPAL
CAY ON HBL A05
M21
1997

1997 March 11

Minutes of Hamilton City Council
Tuesday, 1997 March 11
8:00 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAR 20 1997

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger,
Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman W. McCulloch - civic business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Father Ephrem Adde, St. Mark's Syrian Orthodox Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held:

1997 February 25, (regular meeting)

1997 February 28, (special meeting)

1997 March 3, (special meeting) were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the following who served as a member on the Committee noted.

David Beland - Hamilton Historical Board

Gary Ostofi - Mayor's Committee Against Racism and Discrimination

Walter Peace - Hamilton Historical Board

Marvin Ryder - Hamilton Entertainment & Convention Facilities Inc.

* * * * *

Mayor R. M. Morrow presented Certificates of Recognition to the following organizations in recognition of their financial contributions to the 1996 Keep Hamilton Blooming Programme as Red Petunia Level Donors:

CHML 900/Y95 - Stan Genno

Connon Nurseries - Cor Vanderkruk

Frank Butty Ltd. - Frank Butty

Hamilton District Christian High School - Jim Vanderkooy

Lafarge Canada Inc. - Sam Dinning

CORRESPONDENCE

1. Application dated 1997 March 3 from Wesley Community Homes Inc., 195 Ferguson Avenue North, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for 195 Ferguson Avenue North, Hamilton, Ontario.

Received.

2. Application dated 1997 March 6 from Rosart Properties re: Official Plan Amendment and Zoning Application 97-08 for lands located west of Upper James Street east of West 5th and north of 1550 Upper James Street (South Hamilton Square).

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 11 Re: East side of East 13th Street - Mountville Avenue

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 11 of the Third Report of the Transport and Environment Committee for 1997 be amended by deleting the following in Sub-Section (a):

"and on the east side of East 13th Street commencing 37 feet south of Mountville Avenue and extending to a point 20 feet southerly therefrom,"

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - FOURTH REPORT

Section 4 Re: Sale of 411 - 413 Britannia Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps -1.

CARRIED.

* * * * *

Rule No. 9 Re: Demolition Permits

It was moved by Alderman Drury and seconded by Alderman D'Amico that Rule No. 9 be invoked in order to permit consideration of a resolution respecting the issuance of demolition permits for 1605 Upper Sherman Avenue, 1621 Upper Sherman Avenue, and 675 Rymal Road East.

CARRIED.

* * * * *

Section 10 Re: Demolition Permits

It was moved by Alderman Drury and seconded by Alderman D'Amico that the following be added as Section 10 of the FOURTH Report of the Planning and Development Committee for 1997:

10. That the Building Commissioner be authorized to issue demolition permits for the following properties in accordance with By-Law 74-290 pursuant to Section 33 of the Planning Act, as amended:

- (a) 1605 Upper Sherman Avenue; and
- (b) 1621 Upper Sherman Avenue; and
- (c) 675 Rymal Road East

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FOURTH REPORT

Rule No. 9 Re: Declaration of Surplus Properties

It was moved by Alderman Ross and seconded by Alderman Anderson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the declaration of surplus properties.

CARRIED.

* * * * *

Section 15 Re: Declaration of Surplus Properties

It was moved by Alderman Ross and seconded by Alderman Anderson that the following be added as Section 15 of the Fourth Report for 1997 of the Finance and Administration Committee:

15. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
- (i) 467 Charlton Avenue East
 - (ii) 81/90 Kinrade Avenue, Car Park #12B,C
 - (iii) 11 Cheever Street, Car Park #46B
 - (iv) 897 Barton Street East, Car Park #54
 - (v) 314 Grosvenor Avenue North, Car Park #39A
- (b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps,
Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico,
Ross. -16

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 March 11
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. That the appropriate by-law in a form satisfactory to the City Solicitor, for the stop-up, close and sale of a portion of Gerrard Street west of Sherman Avenue North designated as Parts 6 and 7 on Plan 62R-12643, be enacted.
2. That the existing "No Parking" regulation on the west side and the "Two Hour Parking Time Limit, 24 hours a day, Monday to Friday" regulation on the east side of Gladstone Avenue between Main Street East and Delaware Avenue be replaced with an "Alternate Side Parking" regulation on both sides of the street in this block such that parking is prohibited:
 - (a) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October, and November; and,
 - (b) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October, and November and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That a "No Parking" regulation be implemented on the north side of Delbrook Court between Stroud Road and the west curb line of Delbrook Court and that the City Traffic By-law No. 89-72 amended accordingly.
4. That a "No Stopping" regulation be implemented on the west side of Haddon Avenue South commencing at Main Street West and extending to a point 277 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the west side of Stapleton Avenue commencing at a point 267 feet south of Grenfell Street and extending to a point 17 feet southerly therefrom, and on the east side of Stapleton Avenue commencing at a point 191 feet south of Grenfell Street and extending to a point 19 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. William Thomas, No. 40 Stapleton Avenue.
6. (a) That a "Permit Parking" regulation be implemented on the east side of Mary Street commencing at a point 98 feet south of Macauley Street East and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Ron Hill, No. 480 Mary Street.
7. (a) That a "Permit Parking" regulation be implemented on the east side of Weir Street North commencing at a point 31 feet south of Britannia Avenue and extending to a point 26 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Margaret Crookshanks, No. 196 Weir Street North.
8. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the south side of King Street West, commencing 92 feet east of Haddon Avenue South and extending to a point 40 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Franklin Road commencing at a point 41 feet east of the east curb line of East 27th Street and extending to a point 61 feet easterly therefrom; and,

- (b) That the existing "No Stopping" regulation on the south side of Franklin Road commencing at Upper Sherman Avenue and extending to a point 300 feet westerly therefrom be extended 18 feet westerly; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 10. That the existing "No Stopping" regulation on the west side of Kenora Avenue commencing at a point 99 feet north of the north curb line of Janet Court and extending to a point 104 feet northerly therefrom be extended an additional 35 feet northerly, and that the existing "No Stopping" regulation on the west side of Kenora Avenue commencing at the north curb of Village Drive and extending to a point 39 feet northerly therefrom be extended an additional 28 feet northerly and that the City Traffic By-law No. 89-72 be amended accordingly.
- 11. (a) That a "Permit Parking" regulation be implemented on the west side of East 13th Street commencing 34 feet south of Mountville Avenue and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and, **AMENDED.**
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Tom Stewart, No. 64 East 13th Street.
- 12. (a) That a "Permit Parking" regulation be implemented on the north side of Keith Street commencing at a point 176 feet east of Emerald Street North and extending to a point 18 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Hadan Hans-Joachim, No. 25 Keith Street.
- 13. That the existing "No Parking" regulation on the north side of Central Avenue between Beland Avenue South and the easterly end of Central Avenue be revised to allow unrestricted parking on the north side from a point 119 feet east of Beland Avenue South to the easterly end of Central Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That the existing "No Parking 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Poulette Street commencing 60 feet north of Canada Street and extending 45 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Iyad Abed-Baki
Mark MacDonald; and,

(b) That the following appointment as a Parking Control Officer be repealed:

Terry Paul
16. (a) That a second School Crossing Guard be assigned to the intersection of Grosvenor Avenue and Main Street East during the morning, lunch and evening school crossing periods for the balance of 1997 and up until the approval of the 1998 Departmental Budget; and,

(b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of \$7,000 plus administrative costs for the School Crossing guard at this location.
17. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Queensdale Avenue East commencing at a point 173 feet east of Prince George Avenue and extending 50 feet easterly and that the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the submitted schedules of works be approved for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"Bar- Brock Estates - Phase 4, Hamilton

City's share - NIL

Owner's share \$129,616.43

"Eagleview Estates - Phase 1", Hamilton

City's Share, \$9,755

Owner's Share, \$155,074

and that the amount of \$9,755 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Bar-Brock Estates - Phase 4, Hamilton and "Eagleview Estates - Phase 1", Hamilton as well as and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
 - (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered he should be allowed to do so at their own risk provided that he enter into a standard agreement with the City of Hamilton for pre-servicing.
19. (a) That the following City land be incorporated into the following street:
- | | | |
|------------------|------------|----------------|
| Palace Boulevard | Part 8 | Plan 62R-12439 |
| | Part 1,2,3 | Plan 263314LT |
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,
 - (c) That the Commissioner of Transportation be authorized and directed to register the by-laws; and,
 - (d) That By-law No. 97-007 enacted on 1997 January 28 to incorporate land into Palace Boulevard be repealed.
20. That the City's Modified Subdivision Agreement with James and Dorothy Zaborsky for Land Division Committee Applications H-18-96 and H-19-96 be amended by adding the following clause:

"That a 3.2 metre strip of land remaining from Land Division Committee Applications H-18-96 and H-19-96, comprising part of Lots 7 and 10 on the approved draft plan of subdivision, known as "Annabelle Place" (25T-89002) being designated as Part 5 on Reference Plan 62R-14047, shall only be developed in conjunction with the remaining subdivision lands to the south, in accordance with the approved draft plan of subdivision."

21. (a) That the City of Hamilton, for the sum of \$1, accept title to Parts 5 and 6 on Plan RB-H-560 from the Regional Municipality of Hamilton-Wentworth for road widening purposes, said parcels being described as vacant strips of land, having frontages of 221.381 metres (726.316 feet) and 75.621 metres (248.10 feet) respectively, more or less, along the east limit of Pritchard Road, by a depth of .901 metres (2.956 feet) more or less, and containing an area of .020 hectares (.049 acres) and .006 hectares (.015 acres) respectively, more or less, subject to a temporary right-of-way over the road widening, to continue until the road widening by-law is enacted and registered; and,

(b) That the Senior Director of Roads be directed to prepare the By-law in a form satisfactory to the City Solicitor, to incorporate Parts 5 and 6 on Plan RB-H-560 into Pritchard Road.
22. (a) That the Commissioner of Public Works and Traffic be authorized and directed to issue a purchase order to Mountainview Geotechnical Ltd. to provide quality control/quality assurance testing services for hot-in-place asphalt recycling on various streets in 1997; and,

(b) That the cost of this work estimated at \$37,500 be financed from the 1997 Road and Sidewalk Improvement Programme.
23. (a) That the construction of independent concrete sidewalks on the north side of Stone Church Road East from Upper Ottawa Street to approximately 550m easterly (east limit of No. 1249 Stone Church Road East) at an estimated gross cost of \$73,000 with a City's Share of \$19,591.96 and an Owner's Share of \$53,408.04 and on the south side of Stone Church Road East from Upper Ottawa Street to Dartnall Road at an estimated gross cost of \$141,000 with a City's Share of \$55,859.56 and an Owner's Share of \$85,140.44 proceed as local improvements pursuant to Section 12 of the Local Improvement Act all as provided in the 1997 portion of the 1997 - 2006 Capital Budget; and,

- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works; and,
 - (e) That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary by-law in a form satisfactory to the City Solicitor.
- 24.
- (a) That the Commissioner of Transportation be authorized and directed to supply and install 22 luminaires on the pedestrian scale lighting poles installed on Ottawa Street between Main and Barton Streets; and,
 - (b) That the estimated cost of \$26,700 be financed from the funds available in the 1995 Road and Sidewalk Reconstruction Programme Account No. CF5295 42024.
- 25.
- (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (M.O.E.E.) be advised that the City of Hamilton reaffirms its original decision from 1995 March 14 which stated:
 - (i) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton has no objection to Hotz Environmental Services Inc. receiving an amendment to their Certificate of Approval No. A100146, for their facility located at 239 Lottridge Street, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that applicable City by-laws are complied with fully; and,
 - (b) That a copy of this report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,
 - (c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval amendment for Hotz Environmental Services Inc. to the City of Hamilton.

26. (a) That an Offer to Purchase (Highway Closure), duly executed by Racing Construction Limited (Mario Restauri, President), on 1997 February 20 and scheduled to close on or before 1997 September 30, for the lands composed of part of PIN 17125-0155, being part of Leaway Avenue, Registered Plan 1059, as closed by Judge's Order and registered as Instrument No. VM160037, designated as Part 3 on Plan 62R-11410 and part of Parcel "B", Registered Plan 1059, designated as Part 4 on Plan 62R-11410, having a frontage of 10.8 metres (35.4 feet) and a depth of 43.59 metres (143 feet) and municipally known as No. 817 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$30,010 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (b) That the required deposit cheque in the amount of \$3,001 be held by the City Treasurer pending Council approval; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
- (i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision);
 - (ii) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act;
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
27. (a) That an Offer to Purchase (Highway Closure), duly executed by Mario Restauri, on 1997 February 20 and scheduled to close on or before 1997 September 30, for the lands composed of part of PIN 17125-0155, being part of Leaway Avenue, Registered Plan 1059, as closed by Judge's Order and registered as Instrument No. VM160037, designated as Part 2 on Plan 62R-11410 and part of Parcel "B", Registered Plan 1059, designated as Part 5 on Plan 62R-11410, having a frontage of 10.05 metres (33 feet) and a depth of

43.59 metres (143 feet) and municipally known as No. 821 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$30,010 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases(Sales)); and,

- (b) That the required deposit cheque in the amount of \$3,001 be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (ii) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
28. That all-way stop control be implemented at the intersection of Jackson Street East and Spring Street and that the City Traffic By-law No. 89-72 be amended accordingly.
29. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-13 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-14 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (c) A-15 A By-law to Repeal City By-law No. 97-007 Referred to as Palace Boulevard

- (d) A-16 A By-law to Incorporate City Land Designated as Part 8 on Plan 62R-12439 and Parts 1, 2 and 3 on Plan 263314 L.T. into Palace Boulevard
- (e) A-17 A By-law to stop-up and close a portion of Gerrard Street designated as Parts 6 and 7 on Plan 62R-12643 and to retain Parts 1 and 2 on Plan 62R-13793 and to sell the remainder of Gerrard Street being closed

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary
1997 March 3rd**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative 96-J, for a general text amendment to Zoning By-law No. 6593 regarding the parking standards for single-family dwellings and associated technical definitions on the following basis:
 - (i) That Subsection 2.(2)J.(xxi) of Zoning By-law No. 6593 be amended by deleting the existing definition of "storey, attic" or "storey, half" and replacing it with the following:
 - (xxia) "**Storey, Attic**" shall mean the portion of a building situated wholly, or in part, within the roof and which is not a half-storey;
 - (xxib) "**Storey, Half**" shall mean the portion of a building situated wholly or in part within a sloping roof and in which:
 - a) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 m (7 feet, 7 inches) over a floor area equal to at least fifty percent of the area of the floor; or,
 - b) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.1 m (6 feet, 11 inches) over all of the area of the floor.
 - (ii) That Section 18A of Zoning By-law No. 6593 be amended by adding a new clause as (7A) as follows:

"Notwithstanding Subsection (7), for a single family dwelling where more than 1 parking space is provided in an attached garage, then an open stairway may project into the length of the required parking space not more than 0.75 metre provided that the height of the stairway does not exceed 0.5 metre."

- (iii) That Section 18A of Zoning By-law No. 6593 be amended by adding a new clause as (7B) as follows:

"Where a dwelling is constructed with an attached garage, then the finished level of the garage floor must be set a minimum of 0.10 metres higher than the approved property/street line elevation, where the driveway grade on private property shall be established at a minimum 1% slope, not exceeding 7%, with the slope of the driveway draining away from the building. The approved property/street line shall mean 0.15 metres higher than the elevation of the centreline of the abutting roadway as approved by the road authority."

- (iv) That Column 1 and Column 2 of Table 1 of Section 18A. of Zoning By-law No. 6593 be amended by deleting paragraph 1.(a) and replacing it with the following:

"1. Residential Use

- (a) Single Family Dwelling 2 parking spaces for each Class "A" dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room"

- (v) That Subsection 18A.(10) of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following:

"Except for single-family dwellings, sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space."

- (vi) That Subsection 18A. of Zoning By-law No. 6593 be amended by adding a new clause as (14h) as follows:

"Notwithstanding any other provision in this by-law, the following shall apply to a single family dwelling with 8 habitable rooms or more:

- (i) only 1 of the parking spaces may be located in the front yard on a driveway appurtenant to the dwelling, and

- (ii) the required area for parking, manoeuvring and access in respect to the single family dwelling shall not occupy more than 50% of the gross area of the front yard, and
 - (iii) not less than 50% of the gross area of the front yard shall be landscaped."
 - (vii) That Subsection 18A.(32) of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following:

"Sufficient space additional to required loading space shall be provided and maintained on the same lot on which the loading space is located, in such a manner as to enable each and every loading space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space."; and,
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
 - (c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. (a) That approval be given to Zoning Application 97-03, Mike & Gus Holdings Ltd., owners, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to allow for the development of the subject lands for single detached dwellings through plan of subdivision, for lands located in the area west of West Fifth Street, south of the proposed Mountain Freeway and north of Chester Street, as shown on the attached map marked as Appendix "A"; and,
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593, as amended by By-Law No. 90-351, for presentation to City Council.
3. That approval be given for the assumption by Quantum Realty Holdings Inc. of the existing Commercial Property Improvement Loan in the amount of twenty-three thousand, one hundred and twenty-two dollars and thirty-three cents (\$23,122.33) owed by Agommen Ltd., and co-owners, 303 - 307 King Street East, Hamilton, subject to fulfilment of the borrowing requirements of the City.

4. (a) That the City of Hamilton proceed to complete the sale of 411 - 413 Britannia Avenue to Ratko Radisic for the sum of \$30,000. as approved by City Council on 1996 December 10 (Item 13 of the 20th Report of the Finance and Administration Committee); and,
- (b) That the Property Department be authorized to reapply to the Committee of Adjustment for the required variances to allow the residential use to continue on this site.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps -1.

CARRIED.

5. (a) That Schedule 'B' of By-law No. 97-011, appointing the Downtown Hamilton B.I.A.'s Board of Management be repealed and the following names substituted:

SCHEDULE 'B'

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House
A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
P. Pappas	Joe Buddinski's
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, Gowling Inc.

6. That the Building Commissioner be authorized to issue a demolition permit for 988 Upper Paradise Road in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

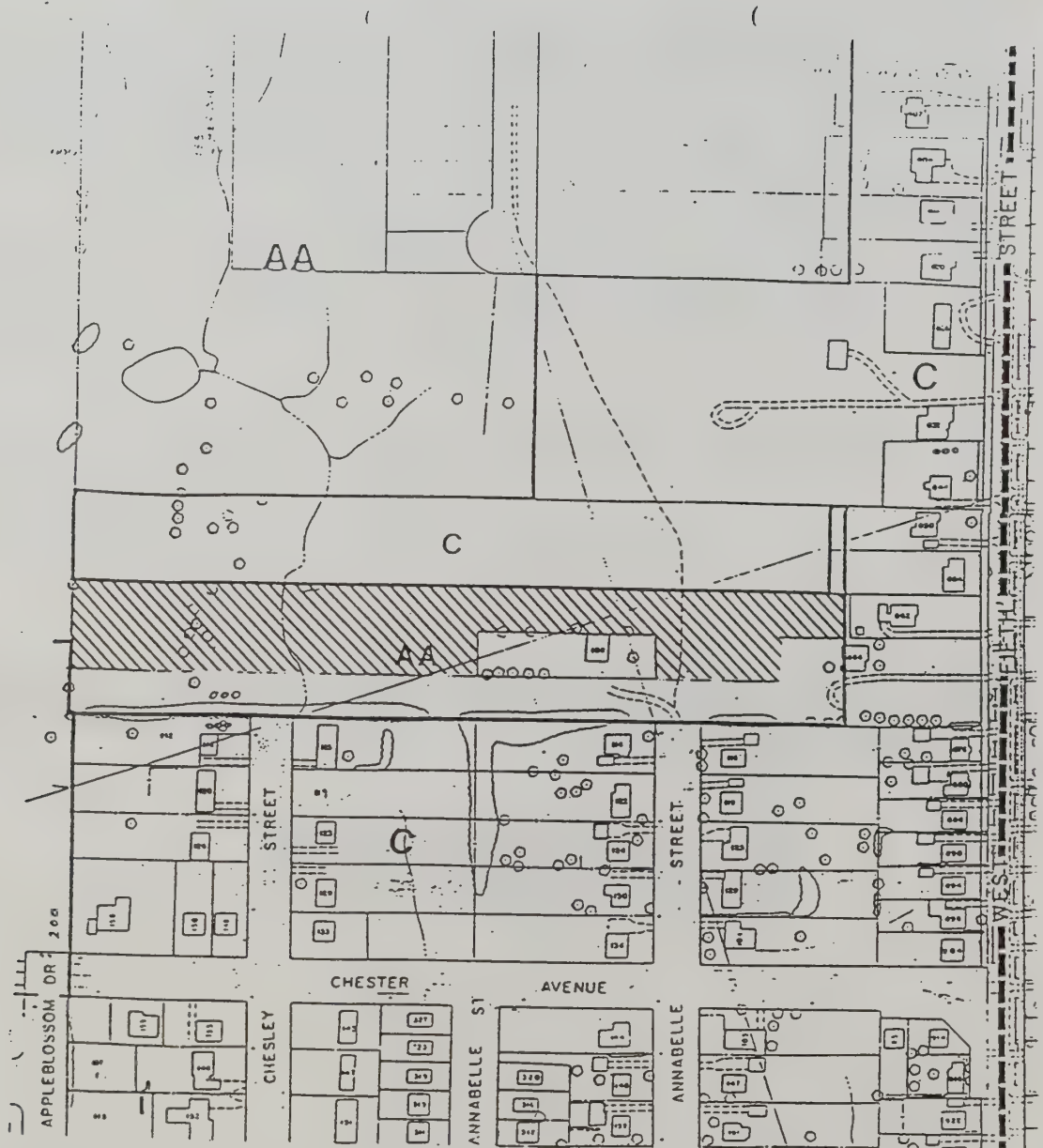
7. That approval be given to the request by Toys "R" Us (Canada) Ltd., owner of the lands at 970 Upper Wentworth Street, as shown on the attached map marked as Appendix "B", for an extension to the approval of Site Plan Control Application DA-95-08 to March 11, 1998, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.
8. That City Council reject the settlement offer proposed by Ross, Bennett & Lake, Barristers and Solicitors on behalf of Gould Outdoor Advertising, in respect of Gould's appeal against Zoning By-law No. 96-092.
9. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
 - (a) C-15 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 8-10 Brantdale Avenue.
10. That the Building Commissioner be authorized to issue demolition permits for the following properties in accordance with By-Law 74-290 pursuant to Section 33 of the Planning Act, as amended:
 - (a) 1605 Upper Sherman Avenue; and
 - (b) 1621 Upper Sherman Avenue; and
 - (c) 675 Rymal Road East

ADDED.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

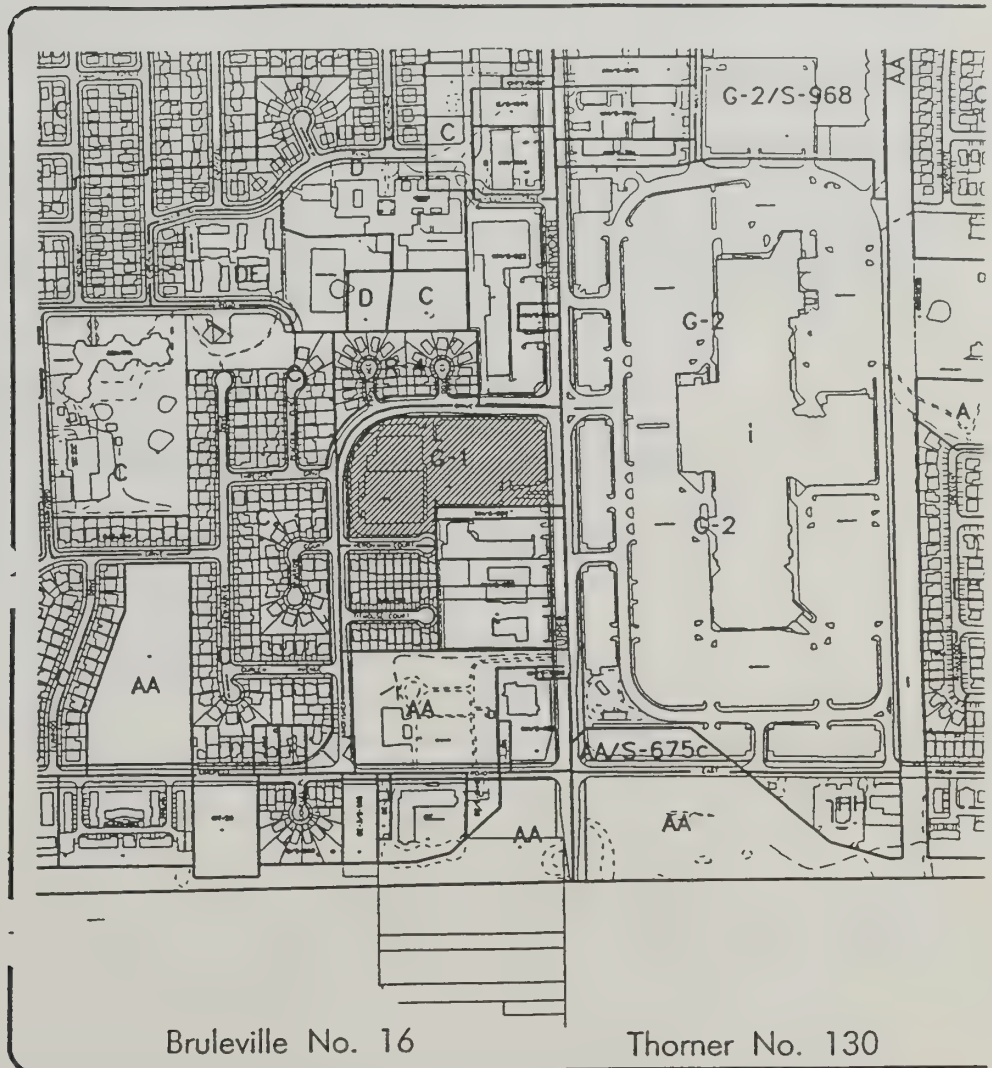
**Tina Agnello, Secretary
1997 March 5**



Legend



Site of the Application



City of Hamilton

**Plan Showing Lands Subject to
Site Plan Control
Application DA-95-08**

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Site of the Application

North



Scale

Not to Scale

Date

MARCH 13, 1995

Reference File No.

DA-95-08

Drawn By

William Braithwaite

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 6396/96 by the payment to the Plaintiff, Marlene Brown, of the sum of \$500 inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Small Claims Court Action No. 6396/96 be dismissed without costs.
2.
 - (a) That approval be given to award the Cleaning & Maintenance Services contract for Bennetto, Churchill, Dalewood, Westmount and Chedoke Twin Pad Arena to Sunshine Building Maintenance Inc. of Burlington for a four year term commencing 1997 March 1 and terminating 2000 December 31 for a total of \$450,274.32 plus G.S.T., with an option in favour of the City to renew for one additional term of three years pending satisfactory performance of the contractor and negotiated price increase, if any, this being the second lowest tender received in accordance to the specifications issued by the Purchasing Division Ref:C15-1-97; and,
 - (b) That the annual amounts quoted be financed from Current Budget Accounts CH 56332 31201 (Bennetto), CH 56332 31205 (Churchill), CH 56332 31210 (Dalewood), CH 56332 31250 (Westmount) and CH 56332 78238 Chedoke Twin Pad Arena; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

3. That the Memorandum of Agreement dated 1997 February 27, between the Corporation of the City of Hamilton and the Canadian Union of Public Employees, Local 1041, be approved.
4. That approval be granted to authorize the destruction of various City of Hamilton Law Department Records as recommended by the City's Records Review Committee. The following records previously identified as "potentially archival" in the 1992 Municipal Archives Report are approved for destruction in accordance with the City's Retention and Destruction of Records By-law. The record series approved for destruction are as follows:
 - (a) Contracts and Agreements (Under Seal)
 - (b) Highways and Agreements
 - (c) Labour Agreements
 - (d) Legal Opinions
 - (e) Organizations/Institutions
 - (f) Real Estate Appraisals
5. That a by-law to authorize the use of Optical Scanning Vote Tabulators for the 1997 City of Hamilton Municipal Election be enacted by City Council.
6.
 - (a) That as referred to in Section 23 of the Third Report for 1997 of the Transport and Environment Committee the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct:
 - (i) Independent Concrete Sidewalks on the North Side of Stone Church Road East from Upper Ottawa Street to approximately 550m Easterly (East Limit of 1249 Stone Church Road East) at an estimated gross cost of \$73,000 with a City's Share of \$19,591.96 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of \$53,408.04 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and,
 - (ii) Independent Concrete Sidewalks on the South Side of Stone Church Road East from Upper Ottawa Street to Dartnall Road at an estimated cost of \$141,000 with the City's share of \$55,859.56 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of \$85,140.44 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and,

- (b) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$138,548.48 for a term not to exceed 15 years for the above projects.
- 7. That approval be granted for the hosting of a dinner reception by the Mayor, at Sackville Hill Seniors Centre, for the visiting delegates, teams, dignitaries and volunteers, following the World Women's Hockey Championship Game, featuring Team Russia vs Team China, on 1997 March 31 at an estimated cost of \$2,400 to be charged to Account #CH54314-84010 Special Receptions.
- 8. (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
 - (i) 6 Cascade Street - Parcel A and B, Plan 1332
- (b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.
- 9. (a) (i) That an Offer to Purchase (Tender Form), duly executed by Karl Ragoonanan and Wendy Archibald, on 1997 February 17 and scheduled to close on or before 1997 March 21, for the lands being firstly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Parts 6 and 8 on Plan 62R-13294 and secondly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Part 11, Plan 62R-13294, having frontage along the easterly limit of DiCenzo Drive, Hamilton, being irregular in shape and containing an area of 474 square metres (5,108.7 square feet) more or less, municipally known as 55 DiCenzo Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$52,000 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
 - (ii) That the required deposit cheque in the amount of \$5,200 be held by the City Treasurer pending Council approval; and,

- (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (1) Satisfactory Notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 4th day of March 1997; and,
 - (3) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,
 - (b) (i) That the following City land be incorporated into the following street:

DiCenzo Drive - Part 12, Plan 62R-13294
 - (ii) That the By-law to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,
 - (iii) That the Commissioner of Transportation be authorized and directed to register the By-laws.
10. (a) That the Corporation of the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1996 November 2 and terminating on 2001 November 1; and,
- (b) That the lease for the above space shall contain the following amending terms and conditions:
- (i) Premises:
 - (1) The leased premises shall be reduced from 5,000 square feet to 2,500 square feet, upon approval of the lease amending and renewal agreement, through the construction of a demising wall and tenant improvements to be constructed by the Lessee to the

satisfaction of the Canadian Football Hall of Fame and Museum Management Committee representative and the Director of Property; and,

- (2) The leased premises shall have access to the existing washroom facilities for use by the tenant's employees; and,
- (3) The portion of the existing leased premises no longer forming part of the new leased premises shall revert to the possession of the Canadian Football Hall of Fame and Museum upon the completion of said demising wall; and,

(ii) Term:

Five (5) years commencing 1996 November 2, terminating 2001 November 1; and,

(iii) Rent:

\$10.50 per square foot (gross) effective 1996 November 2 to 1998 October 31. In October 1998 both parties will review the rent for an adjustment. Any adjustment in rent, up or down, must be based on market conditions at the time. There will be no change in rent unless market conditions have changed in excess of ten percent (10%). If the market conditions have not changed greater than ten percent (10%), then the rent will remain at \$10.50 per square foot until 2001 October 31. If the market conditions have changed greater than ten percent (10%), then the adjusted rent, as determined by the change in market conditions, will remain in effect until 2001 October 31. The market conditions will be determined by the use of two independent appraisers, one selected by the Canadian Football Hall of Fame and Museum and the other selected by the Credit Union. These two appraisers must attempt to reach an agreement. If they are not able to do so, then these two appraisers will select a third appraiser who will determine the market conditions and the third appraisal will be binding on both parties; and,

(iv) Additional Terms:

- (1) The Lessee will pay for its share of the increase in operating costs over the 1996 Base Year; and,

- (2) As well the Credit Union will agree to pay any increase in property taxes that result from the leasehold improvements made to the space as occupied by the Credit Union; and,

(v) Option to Renew:

There will be an option to extend the rental agreement from 2001 November 2 until 2006 November 1 at a rent to be established by market conditions as at the month of 2001 October. The Canadian Football Hall of Fame and Museum will continue to have the right to terminate the lease as at 2001 November 1, provided that written notice is provided to the other party six months prior to 2001 November 1. If such notice is given by the Canadian Football Hall of Fame and Museum, the following conditions apply:

- (1) The Credit Union shall be given a further six (6) months following the termination of the lease on 2001 November 1, to find a new location with the same terms and conditions as if the lease was continuing; and,
- (2) In the event the Football Hall of Fame should wish to terminate the lease at 2001 November 1 then they shall be responsible to reimburse the Credit Union for one-half the cost of their leasehold improvements, to a maximum of \$35,000. The leasehold improvements in question would be those that were expended during renovations the first quarter of 1997; and,

- (c) That the Mayor and City Clerk be authorized to execute a lease renewal and amending agreement in a form satisfactory to the City Solicitor.

- 11. (a) That Blair, Blanchard, Stapleton Limited; Chambers & Company Limited; and, Royal LePage Commercial Inc. be retained to provide real estate brokerage services to sell surplus City commercial and industrial properties for a one year term; and,

- (b) That the Director of Property be authorized and directed to sign the Multiple Listing Agreement for each surplus commercial/industrial property to be listed.

12. (a) That Section 14(c) of the Eighteenth Report for 1996 of the Finance and Administration Committee approved by City Council at its meeting held 1996 November 12th respecting the declaration of property at 1 Spruceside Avenue as surplus property be rescinded; and,

(b) That the property at 1 Spruceside Avenue be retained as City property for greenspace use.
13. (a) That the City Solicitor be authorized to amend the current lease agreement between Burton Hubbard, Marguerite Hubbard and Corrado Belacca and the City of Hamilton respecting the Farmers' Market Coffee Shop to remove Burton and Marguerite Hubbard as licensees and including John Malagrino as an added licensee; and,

(b) That the amended lease agreement continue to provide for the agreement to expire on 2000 August 31 with no option to renew, at a monthly rate of \$439 for 1997, to be adjusted during the term of the agreement at the pleasure of Council.
14. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-10 A By-law to Authorize the Use of Optical Scanning Vote Tabulators.
 - (b) D-11 A By-law to Incorporate City Land designated as Part 12, on Plan 62R-13294 into DiCenzo Drive.
 - (c) D-12 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
15. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
 - (i) 467 Charlton Avenue East
 - (ii) 81/90 Kinrade Avenue, Car Park #12B,C
 - (iii) 11 Cheever Street, Car Park #46B
 - (iv) 897 Barton Street East, Car Park #54
 - (v) 314 Grosvenor Avenue North, Car Park #39A

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1997 March 4

URBAN\MUNICIPAL
CAYON HBL A05
M21
1997

1997 March 18

Minutes of Hamilton City Council
Tuesday, 1997 March 18
7:10 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli,
Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson,
D'Amico, Ross. -17

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FOURTH REPORT
1997-2006 Capital Budget

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli,
Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson,
D'Amico, Ross. -17

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:15 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 March 18
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) (i) That the City of Hamilton 1997 Capital Budget and the 1998-2006 Capital Forecast as outlined on Appendix "A" and "B" attached hereto, representing the following financial parameters, be approved:
 - (1) the average debenture charges expressed as a percentage of levy be 12.00% for the ten (10) year period; and
 - (2) the average compound rate of increase per year in debenture charges be 1.59%.
- (ii) That the provision for capital levy with specific reference to the "Pay-As-You-Go" policy, be maintained at the same level as last year with a two mill capital levy in 1997, a two mill capital levy in 1998, a three mill capital levy in 1999, a four mill capital levy in 2000, a five mill capital levy in 2001 and a six mill capital levy in 2002 through 2006; and,
- (iii) (1) That the 1997 projects be approved for implementation as outlined on the following pages: (Schedule "A" - Page 1 and 2 - Municipal Projects and Page 14 - the Parking Authority Projects) indicating the method of financing, and that the originating Department Heads be directed to proceed with these projects; and
- (2) That the City Solicitor be authorized to prepare the appropriate by-laws for Projects Nos. 78.0, 79.0, 128.1, 142.0, 156.0, 168.0, 193.0 and 194.0 (Schedule "A" - Pages 1 and 2 - Column 18) with debenture financing in the total amount of \$10,581,000; and
- (3) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed ten years as required for the above Project noted in (2) requiring debenture financing for the year 1997.

- (iv) That the City Treasurer be authorized to cancel the provision for the City's Cost of 2001 Canada Summer Games in the amount of \$1,500,000 as authorized under Section 1 of the Fifth Report of the Committee of the Whole adopted by Council 1996 August 27; and,
- (v) That the following list of 1997 projects be incorporated as a part of the regular Capital Budget and be approved replacing the provision made in relation to the 2001 Canada Summer Games and that these projects be financed from the Reserve for Capital Projects Account Centre No. CH 00203, and the originating Department Heads be directed to proceed:

<u>Project No.</u>	<u>Description</u>	<u>Operating</u>	
		<u>Amount</u>	<u>Cost</u>
205.0	Park Development and Redevelopment Program - Additional	\$ 800,000	\$50,000
206.0	Chedoke Twin Pad Arena - Incremental upgrades for operational improvements	80,000	-
207.0	Scott Park Arena - Incremental addition for operational improvements	60,000	500
208.0	The Children's Museum - Incremental addition for operational improvements	75,000	-
209.0	Central Memorial Recreation Centre - Renovations	<u>485,000</u>	<u>-</u>
		<u>\$1,500,000</u>	<u>\$50,500</u>

- (vi) That the Downtown Partnership Project (Project No. 5.5) for implementation in 1997, be revised at a gross cost of \$180,000, with the City's cost of \$60,000 being financed from the Reserve for Capital Projects and the balance of \$60,000 from the Regional Municipality of Hamilton-Wentworth, and \$60,000 from private sector contributions; and,
- (vii) That the following additional H.E.C.F.I. capital projects which initially required City mill rate based funding be included as a part of the 1997-2006 Capital Budget with financing to come from the Reserve for Capital Projects -H.E.C.F.I. and be considered for implementation subject to the availability of funds in the reserve:

<u>Project No.</u>	<u>Description</u>	<u>Year of Original Funding Request</u>	<u>Cost</u>
187.0	Hamilton Place - Great Hall Seating Replacement	1998-99	\$540,000
189.0	Copps Coliseum - Modify & Refurbish Electronic Sign	2000	300,000

190.0	Hamilton Convention Centre - Roofing System Replacement	2002	390,000
191.0	Hamilton Convention Centre - Carpet Replacement	2003	325,000
192.0	Copps Coliseum - Roofing System Replacement	2006	<u>600,000</u>
			<u>\$2,155,000</u>

- (viii) (1) That the Downtown Hamilton Improvement Plan Phase I (Project No. 87.1) at an estimated gross cost of \$2,546,000 be incorporated as a part of the 1997-2006 Capital Budget for implementation in 1997 and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.
- (2) That the 1997 Downtown Streetscaping (Project No. 87.5) for \$200,000 and, Downtown Pedestrian Friendly Improvements (Project No. 183.1 to 183.4) for \$500,000 each year for four years, 1998 through 2001, to a total of \$2,000,000, be deleted from the 1997-2006 Capital Budget.
- (3) That the balance of the Downtown Hamilton Improvement Plan - Phase II to Phase V, at a net total City cost of \$5,721,000 (Project Nos. 87.6 to 87.9 details of which are included in Schedule "B".) as enclosed, not be recommended for funding within the ten year plan and be subject to future consideration.
- (ix) That the Art Gallery of Hamilton Capital Project for the implementation of Collection Protection Project - Repairs to Building Envelope at a gross cost of \$1,460,500 with Federal funding of \$425,000, Art Gallery of Hamilton's share of \$517,500 and the balance of the net City contribution of \$518,000 (Project No. 184.6) be added to the 1997 Capital Budget and be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.
- (x) That staff be directed to bring back a supplementary list of projects for consideration in relation to the new Canada/Ontario Infrastructure Program if introduced and available.
2. That the cost of the replacement of vehicles in 1997 as noted below in the total estimated replacement cost of \$1,716,350 be funded from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101:
- | | | |
|----------------|-----------------|-------------|
| City Garage | 10 vehicles | \$ 260,000 |
| Fleet Services | 12 vehicles | \$ 394,000 |
| Fleet Services | 37 misc. equip. | \$1,062,350 |

3. (a) That the City of Hamilton provide funding in the amount of \$2,000 to host a reception for Les Violons Du Roy, a fifteen String Chamber Orchestra from Quebec City on April 10th, 1997 at 8:00 o'clock p.m. at the DuMaurier Ltd. Centre (Theatre Aquarius)
- (b) That the funding in the amount of \$2,000 to be charged to Account No. CH54314-84010 (Reception Delegate Hosting Account).
4. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

 E-3 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 March 18

Appendix "A" as referred to
in Section 1 of the FOURTH
Report of the Committee of
the Whole for 1997.

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF	Annual DEBT Changes	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
1997 PROJECTS																			
1.0	HD	DOWNTOWN HAMILTON HOMES ASSISTANCE PROGRAM	1997	1998	700		700										RCP		
2.0	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1997	1997	1,000	1,000											RPP		
5.5	CAO	DOWNTOWN PARTNERSHIP	1997	1997	180	120	60										RCP		
6.0	CMT	YEAR 2000 CONVERSION PROJECT	1997	1998	150		150										CL		
7.0	CMT	COMPUTER SOFTWARE - CORPORATE WINDOWS UPGRADE	1997	1998	138		138										RCP		
9.0	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE-TO-RENT LOAN PROG.	1997	1998	200		200										CL		
11.0	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1997	1997	440		440										CL		(12)
12.0	PROP	CUP - HECFI CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1997	1997	90		90										RCP		
14.0	PROP	HILL PARK POOL - MECHANICAL/ELECTRICAL REFURBISHING	1997	1997	289		289										CL		(5)
15.0	PROP	CITY HALL - REPLACEMENT OF BOILERS	1997	1997	145		145										RCP		
19.0	PROP	CITY HALL - REPLACEMENT OF ROOF - PHASE II	1997	1997	300		300										RCP		
20.0	PROP	RINK BOARD REPLACEMENT	1997	1997	180		180										RCP		
21.0	PROP	WESTMOUNT RECREATION CENTRE - REPLACEMENT OF ROOF	1997	1997	120		120										RCP		2
24.0	PROP	125 BARTON ST W - EMBANKMENT STABILIZATION - GROUNDS MAINT.	1997	1999	275		275										RRME		
54.0	FIRE	VEHICLE / APPARATUS REPLACEMENT	1997	1997	169		169										CL		
63.0	PWD-F	REPLACEMENT OF COMPUTERIZED FUEL CONTROL SYSTEM	1997	1997	174		174										RRME		
64.0	PWD-F	VEHICLE REPLACEMENT PROGRAM	1997	1997	2,456		2,456										RSTUL		20
66.0	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1997	1997	800		800										CL		
69.1	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1997	1997	60		60										RCP		
73.1	PWD-T	TRAFFIC SIGN REPLACEMENT	1997	1997	75		75										RCP		
74.0	PWD-T	TRAFFIC SIGNAL MODERNIZATION	1997	1997	60		60										CL		
75.0	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	1997	1997	250		250										DEB	100	
78.0	PWD-S	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM - PHASE II	1997	1997	700		700										DEB	950	
79.0	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1997	1997	6,671		6,671										RCP		17
87.1	PWD-S	DOWNTOWN HAMILTON IMPROVEMENT PLAN - PHASE I	1997	1997	2,546		2,546										CL		
91.1	C&R	RISK MANAGEMENT - VARIOUS CULTURAL & RECREATION FACILITIES	1997	1997	400		400												

Schedule "A"

(Thousands of Dollars)

For Consideration of the Committee of the Whole

1997 PROJECTS - ContinuedSub-total 1997 PROJECTS

NOTE: 1. RECENTLY APPROVED INFASIRU CORE PROGRAM HAS A PROVISION FOR ADDITIONAL ELEMENTS OF THE PROGRAM

NOTE: 2. HAMILTON HYDRO ELECTRIC SYSTEM WILL SPEND \$400,000 UNDER THIS PROGRAM

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING	Annual DEBT Charge	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
1998 PROJECTS																			
3.1	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1998	1998	1,000	1,000											RPP		
5.0	CLERK	ELECTION SYSTEM REPLACEMENT AND ACQUISITION	1998	2000	825			100	725								DEB	117	
10.1	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE - TO-RENT LOAN PROGRAM	1998	1998	200			200									CL		
13.0	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1998	1998	342			342									CL		
16.0	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1998	1998	50			50									CL		
17.0	PROP	BALFOUR ESTATE - BUILDING ENVELOPE RESTORATION	1998	1998	193			193									CL		
22.0	PROP	CITY HALL - ELEVATOR RETROFIT	1998	1998	452			452									DEB	64	9
23.0	PROP	CITY HALL - COUNCIL CHAMBER REFURBISHING	1998	1998	125			125									CL		
25.1	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1998	1998	600			600									DEB/RCP	71	
26.1	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1998	1998	90			90									CL		
27.0	PROP	CENTRAL FIRE STATION - MECHANICAL/ELECTRICAL RETROFIT	1998	1998	241			241									CL		
28.1	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1998	1998	50			50									CL		
36.1	PROP	CUP - BUILDING AUTOMATION SYSTEM UPGRADE - PHASE II	1998	1998	30			30									RCP		
56.1	FIRE	VEHICLE/ APPARATUS REPLACEMENT	1998	1998	1,870			1,870									RRME		
65.1	PWD-F	VEHICLE REPLACEMENT PROGRAM	1998	1998	2,530			2,530									RRME		
67.1	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1998	1998	840			840									RSTUL		
69.2	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1998	1998	61			61									RCP		
71.0	ROAD	STORM WATER NATURAL RETENTION SYSTEM - RYMAL ROAD EAST	1998	1998	250			250									RDC		
73.2	PWD-T	TRAFFIC SIGN REPLACEMENT	1998	1998	75			75									RCP/CL		
74.1	PWD-T	TRAFFIC SIGNAL MODERNIZATION	1998	1998	62			62									RDC		
76.1	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	1998	1998	250			250									CL		
80.1	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1998	1998	7,215			7,215									DEB	1,027	
90.1	C&R	IRRIGATION SYSTEMS - HAMILTON CIVIC GOLF COURSES	1998	1998	356			356									DEB	51	
91.2	C&R	RISK MANAGEMENT - VARIOUS CULTURAL AND RECREATION FACILITIES	1998	1998	400			400									RCP		
92.2	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CULTURAL & REC FACILITIES	1998	1998	100			100									CL		
96.1	C&R	IVOR WYNN STADIUM - RENOVATIONS AND REPAIRS	1998	1998	90			90									CL		

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF	Annual DEBT Charges	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
1998 PROJECTS - Continued																			
103.2	C&R	PUBLIC ART PROGRAMME	1998	1998	35			35									CL		4
104.0	C&R	LIGHTING SAFETY - ENHANCEMENTS	1998	1998	62			62									CL		
130.1	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	1998	1998	161	11		150									RPL		1
131.1	PWD-P	PLAYSTRUCTURE REDEVELOPMENT - ADDITIONAL	1998	1998	100			100									RDC		1
133.1	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1998	1998	600			600									RPL		38
135.1	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1998	1998	61	11		50									RPL		5
137.1	PWD-P	PARKLAND ACQUISITION	1998	1998	500			500									RPL		16
139.1	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1998	1998	50			50									RCP-H		
186.1	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1998	1998	405			405									RCP-H		
187.0	HECF	HAMILTON PLACE - GREAT HALL SEATING REPLACEMENT	1998	1999	540			300	240								RCP-H		
188.0	HECF	HAMILTON PLACE - REPLACEMENT OF CARPET	1998	1998	200			200									RCP-H		
195.0	HPL	CENTRAL LIBRARY RENOVATIONS - DESIGN PHASE	1998	1998	72			72									CL		
Sub-total 1998 PROJECTS					21,083	1,022	0	19,096	965	0	0	0	0	0	0	0		1,330	74
(NET CITY COSTS - 20,061)																			

1999 PROJECTS

3.2	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1999	1999	1,000	1,000											RPP		
10.2	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE--TO-RENT LOAN PROGRAM	1999	1999	200				200								CL		
18.0	PROP	WEST AVENUE SCHOOL - RETROFIT HEATING SYSTEM	1999	1999	198				198								RCP/CL		(4)
25.2	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1999	1999	600				600								DEB/RCP	71	
26.2	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1999	1999	90				90								CL		
28.2	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1999	1999	50				50								CL		
30.0	PROP	BENNETT RECREATION CENTRE - REPLACEMENT OF ROOF	1999	1999	116				116								CL		
32.0	PROP	CHURCHILL RECREATION CENTRE-MECHANICAL/ELECTRICAL RETROFIT	1999	1999	203				203								CL		
34.0	PROP	LIBRARY/MARKET - BOILER RETROFIT	1999	1999	217				217								CL		(20)
35.0	PROP	WEST AVENUE SCHOOL - REPLACEMENT OF ROOF	1999	1999	166				166								CL		

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual DEBT Charges	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
1999 PROJECTS - Continued																			
55.0	FIRE	PUBLIC SAFETY TRUNKING RADIO - Increased Cost	1999	1999	420				420								DEB	60	
56.2	FIRE	VEHICLE / APPARATUS REPLACEMENT	1999	1999	160				160								RRME		
60.0	FIRE	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	1999	1999	98				98								CL		1
61.0	FIRE	FIRE STATION - WOODWARD & MELVIN - DESIGN & CONSTRUCTION	1999	2000	2,557				216	2,341							DEB	364	
65.2	PWD-F	VEHICLE REPLACEMENT PROGRAM	1999	1999	2,606				2,606								RRME		
67.2	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1999	1999	882				882								RSTUL		
69.3	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1999	1999	62				62								CL		
72.0	ROAD	REHABILITATION OF LOCK STREET BRIDGE (# 1082)	1999	1999	40				40								CL		
73.3	PWD-T	TRAFFIC SIGN REPLACEMENT	1999	1999	75				75								CL		
74.2	PWD-T	TRAFFIC SIGNAL MODERNIZATION	1999	1999	64				64								CL		
76.2	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	1999	1999	250				250								CL		
80.2	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1999	1999	7,546				7,546								DEB	1,074	
90.2	C&R	IRRIGATION SYSTEMS - HAMILTON CIVIC GOLF COURSES	1999	1999	214				214								CL		
91.3	C&R	RISK MANAGEMENT - VARIOUS CULTURAL AND RECREATION FACILITIES	1999	1999	350				350								CL		
92.3	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CULTURAL & REC FACILITIES	1999	1999	100				100								CL		
96.2	C&R	IVOR WYNNE STADIUM - RENOVATIONS AND REPAIRS	1999	1999	90				90								CL		
98.0	C&R	PERMANENT SIGNAGE, CULTURAL & REC FACILITIES	1999	1999	120				120								CL		
100.0	C&R	WALKER POOL - OUTDOOR POOLS REHABILITATION	1999	1999	995				995								DEB	142	43
103.3	C&R	PUBLIC ART PROGRAMME	1999	1999	35				35								CL		4
115.0	C&R	RESTORATION/ARCHITECTURAL FEATURES, HISTORICAL BUILDINGS	1999	1999	200				150								CL		
130.2	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	1999	1999	161				150								RPL		1
131.2	PWD-P	PLAYSTRUCTURE REDEVELOPMENT - ADDITIONAL	1999	1999	100				100								CL		1
133.2	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	600				600								RDC/RPL		38
135.2	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1999	1999	61				50								RPL		5
137.2	PWD-P	PARKLAND ACQUISITION	1999	1999	500				500								RPL		16
139.2	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1999	1999	50				50								CL		

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS By YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)											NATURE OF FUNDING	Annual Debt Charges	Annual Operating Cost			
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006							
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)							
(1)	(2)	(3)	1999 PROJECTS - Continued																		(18)	(19)	(20)
																				RCP-H			
186.2	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1999	1999	300					300													
196.0	HPL	CENTRAL LIBRARY RENOVATIONS - CONSTRUCTION PHASE	1999	2000	588					588								DEB	84				
Sub-total 1999 PROJECTS			(NET CITY COSTS - 20,992)			22,064	1,072	0	0	18,651	2,341	0	0	0	0	0	0		1,795 85				

2000 PROJECTS

3.3	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2000	2000	1,000	1,000											RPP	CL	
10.3	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE-TO-RENT LOAN PROGRAM	2000	2000	200					200							RCP/CL		
25.3	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2000	2000	700					700							CL		
26.3	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2000	2000	100					100							CL		
28.3	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2000	2000	50					50							CL		
36.0	PROP	CUP - BUILDING AUTOMATION SYSTEM UPGRADE - PHASE II	2000	2000	1,270	60				1,210							DEB	172	(10)
37.0	PROP	CITY HALL - REPLACEMENT OF ROOF PHASE III	2000	2000	200					200							CL		
38.0	PROP	LAURIER DISTRICT CENTRE - MECHANICAL/ELECTRICAL RETROFIT	2000	2000	299					299							CL		
39.0	PROP	LAURIER DISTRICT CENTRE - REPLACEMENT OF ROOF	2000	2000	116					116							CL		
40.0	PROP	LAWFIELD ARENA - MECHANICAL/ELECTRICAL RETROFIT	2000	2000	386					386							CL		(1)
41.0	PROP	MOUNTAIN ARENA - MECHANICAL/ELECTRICAL RETROFIT	2000	2000	347					347							CL		(3)
42.0	PROP	CORPS COLISEUM - STEAM TO HOT WATER CONVERSION - PHASE II	2000	2000	125					125							CL		(5)
44.0	PROP	FOOTBALL HALL OF FAME - MECHANICAL/ELECTRICAL RETROFIT	2000	2000	251					251							CL		(1)
56.3	FIRE	VEHICLE / APPARATUS REPLACEMENT	2000	2000	360					360							RRME		
65.3	PWD-F	VEHICLE REPLACEMENT PROGRAM	2000	2000	2,684					2,684							RRME		
67.3	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2000	2000	926					926							RSTUL/RDC		
69.4	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2000	2000	63					63							CL		
73.4	PWD-T	TRAFFIC SIGN REPLACEMENT	2000	2000	75					75							CL		
74.3	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2000	2000	66					66							CL		
76.3	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2000	2000	250					250							CL		

1997 March 18

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual DEBT Charge	Annual Operating Cost
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
2000 PROJECTS - Continued																			
80.3	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2000	2000	7,991					7,991							DEB/CL	1,095	
90.3	C&R	IRRIGATION SYSTEMS - HAMILTON CIVIC GOLF COURSES	2000	2000	302					302							CL		
92.4	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CULTURAL & REC FACILITIES	2000	2000	100					100							RCP		
96.3	C&R	IVOR WYNN STADIUM - RENOVATIONS AND REPAIRS	2000	2000	90					90							CL		
99.0	C&R	GLOBE PARK - MOBILE CONCESSION	2000	2000	27					27							CL		
101.0	C&R	INCH PARK - OUTDOOR POOLS REHABILITATION	2000	2000	513					513							DEB	73	37
103.4	C&R	PUBLIC ART PROGRAMME	2000	2000	35					35							CL		15
105.0	C&R	RELOCATION OF HAMILTON SCOURGE LABORATORY	2000	2000	50					50							DEB	665	
110.0	C&R	DALEWOOD RECREATION CENTRE - RETROFIT	2000	2001	4,670					670	4,000						CL		
113.0	C&R	CHEDOKE SKI IMPROVEMENTS	2000	2001	144					144							RPL		1
130.3	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2000	2000	161	11				150							RDC/RPL		38
133.3	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2000	2000	600					600							RPL		5
133.3	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2000	2000	61	11				50							RPL		16
137.3	PWD-P	PARKLAND ACQUISITION	2000	2000	500					500							CL		
139.3	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2000	2000	50					50							CL		18
141.0	PWD-P	HAMILTON BEACH - CLEAN-UP	2000	2000	51					51							RCP-H		
186.3	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2000	2000	310					310							RCP-H		
189.0	HECFI	CORPUS COLISEUM - MODIFY & REFURBISH EXTERIOR ELECTRONIC SIGN	2000	2000	300					300							RCP-H		
Sub-total 2000 PROJECTS					25,423	1,082	0	0	0	20,341	4,000	0	0	0	0	0			2,005 110
(NET CITY COSTS - 24,341)																			
2001 PROJECTS																			
3.4	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2001	2001	1,000					1,000							RPP		
4.0	HD	UPGRADE OF ADA PRITCHARD AND MACASSA PARK APARTMENTS	2001	2002	1,339					279	1,060						DEB	191	
8.0	PROP	MAJOR ACCOMMODATION REFURBISHING - CITY HALL	2001	2003	10,000					3,500	2,500	4,000					DEB	1,424	
10.4	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE-TO-RENT LOAN PROGRAM	2001	2001	200					200							RCP		

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING	Annual DEBT Charges	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
2001 PROJECTS - Continued																			
25.4	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2001	2001	700						700						CL		
26.4	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2001	2001	100						100						CL		
28.4	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2001	2001	50						50						CL		
29.1	PROP	ENERGY MANAGEMENT PROJECTS	2001	2001	250						250						CL		(37)
45.0	PROP	RYERSON RECREATION CENTRE - REPLACEMENT OF ROOF	2001	2001	116						116						CL		
46.0	PROP	HILL PARK RECREATION CENTRE - REPLACEMENT OF ROOF	2001	2001	97						97						CL		
47.0	PROP	KENILWORTH COMPOSITE BUILDING - MECHANICAL/ELEC. RETROFIT	2001	2001	193						193						CL		(1)
56.4	FIRE	VEHICLE / APPARATUS REPLACEMENT	2001	2001	484						484						RRME		
65.4	PWD-F	VEHICLE REPLACEMENT PROGRAM	2001	2001	2,764						2,764						RRME		
67.4	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2001	2001	972						972						RSTUL/RDC		
69.5	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2001	2001	64						64						CL		
73.5	PWD-T	TRAFFIC SIGN REPLACEMENT	2001	2001	75						75						CL		
74.4	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2001	2001	68						68						CL		
76.4	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2001	2001	250						250						CL		
80.4	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2001	2001	8,630						8,630						DEB/CL	1,076	
83.1	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2001	2001	50						50						CL		
90.4	C&R	IRRIGATION SYSTEMS - HAMILTON CIVIC GOLF COURSES	2001	2001	307						307						CL		
102.0	C&R	PARKDALE - OUTDOORS POOLS REHABILITATION	2001	2001	513						513						CL		41
130.4	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2001	2001	161						150						RPL		1
133.4	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2001	2001	600						600						RDC/RPL		38
135.4	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2001	2001	61						50						RPL		5
137.4	PWD-P	PARKLAND ACQUISITION	2001	2001	500						500						RPL		16
139.4	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2001	2001	50						50						CL		
146.0	PWD-P	PARKING LOT AND PATHWAY REPAIRS - VARIOUS LOCATIONS	2001	2001	1,160						1,160						CL		0
186.4	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2001	2001	230						230						RCP-H		
Sub-total 2001 PROJECTS					30,984		1,022	0	0	0	0	22,402	3,560	4,000	0	0		2,691	63
(NET CITY COSTS - 29,962)																			

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual Debt Charge	Annual Operating Cost
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
2002 PROJECTS																			
3.5	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2002	2002	1,000	1,000											RPP		
25.5	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2002	2002	800							800					RCP		
26.5	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2002	2002	110							110					CL		
28.5	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50							50					CL		
29.2	PROP	ENERGY MANAGEMENT PROJECTS	2002	2002	250							250					CL		(36)
49.0	PROP	NORMAN PINKY LEWIS REC CENTRE - BUILDING ENVELOPE RESTORATION	2002	2002	200							200					CL		(1)
56.5	FIRE	VEHICLE / APPARATUS REPLACEMENT	2002	2002	1,250							1,250					RRME		
59.0	FIRE	FIRE STATION - KENILWORTH AVENUE - DESIGN & CONSTRUCTION	2002	2003	3,016							243	2,773				DEB	429	
65.5	PWD-F	VEHICLE REPLACEMENT PROGRAM	2002	2002	2,847							2,847					RRME		
67.5	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2002	2002	1,021							1,021					RSTUL/RDC		
69.6	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2002	2002	65							65					CL		
74.5	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2002	2002	70							70					CL		
77.1	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2002	2002	250							250					CL		
81.1	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2002	2002	8,890							8,890					DEB/CL	1,034	
83.2	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2002	2002	50							50					CL		
84.0	PWD-S	ENHANCED STREETSCAPING	2002	2002	36							36					CL		19
90.5	C&R	IRRIGATION SYSTEMS - HAMILTON CIVIC GOLF COURSES	2002	2002	581							581					CL		
109.0	C&R	CORONATION ARENA & OUTDOOR POOL RENOVATION & EXPANSION	2002	2004	6,140							1,000	2,140	3,000			DEB	874	71
111.0	C&R	EASTWOOD ARENA - RETROFIT	2002	2002	2,667							2,667					CL		
130.5	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2002	2002	161							150					RPL		1
133.5	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2002	2002	600							600					RDC/RPL		38
135.5	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2002	2002	61							50					RPL		5
137.5	PWD-P	PARKLAND ACQUISITION	2002	2002	500							500					RPL		16
139.5	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2002	2002	50							50					CL		
143.0	PWD-P	GRASS MAINTENANCE EQUIPMENT	2002	2002	68							68					CL		18
145.1	PWD-P	WADING POOL CONVERSIONS	2002	2002	100							100					CL		0

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual DEBT Charges	Annual Operating COST
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)			
(1)	(2)	(3)																	
2002 PROJECTS - Continued																			
186.5	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2002	2002	200													RCP-H	
190.0	HECF	HAMILTON CONVENTION CENTRE-ROOFING SYSTEM REPLACEMENT	2002	2002	390													RCP-H	
Sub-total 2002 PROJECTS			(NET CITY COSTS - 30,401)			31,423	1,022	0	0	0	0	22,488	4,913	3,000	0	0		2,337	129

2003 PROJECTS

3.6	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2003	2003	1,000	1,000											RPP		
25.6	PROF	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2003	2003	800								800				RCP		
26.6	PROF	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2003	2003	110								110				CL		
28.6	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2003	2003	50								50				CL		(45)
29.3	PROF	ENERGY MANAGEMENT PROJECTS	2003	2003	300								300				CL		
50.0	PROF	ROSEDALE ARENA - MECHANICAL/ELECTRICAL RETROFIT	2003	2003	386								386				CL		(5)
56.6	FIRE	VEHICLE / APPARATUS REPLACEMENT	2003	2003	935								935				RRME		
65.6	PWD-F	VEHICLE REPLACEMENT PROGRAM	2003	2003	2,933								2,933				RRME		
67.6	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2003	2003	1,072								1,072				RSTU/RDC		
69.7	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2003	2003	66								66				CL		
72.5	ROAD	SUBDIVISION WATERSHED PLAN OF TRIBUTARIES OF RED HILL CREEK	2003	2003	300								300				CL		
74.6	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2003	2003	72								72				CL		
77.2	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2003	2003	250								250				CL		
81.2	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2003	2003	9,160								9,160				DEB/CL	761	
83.3	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2003	2003	50								50				CL		9
85.0	PWD-S	WATER TRUCK - TRAFFIC ISLAND PROGRAMME	2003	2003	68								68				CL		
130.6	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2003	2003	161	11							150				RPL		1
133.6	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	600								600				RDC/RPL		38
135.6	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2003	2003	61	11							50				RPL		5
137.6	PWD-P	PARKLAND ACQUISITION	2003	2003	500								500				RPL		16
139.6	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2003	2003	50								50				CL		

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The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual Debt Charges	Annual Operating Cost
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
2003 PROJECTS - Continued																			
145.2	PWD-P	WADING POOL CONVERSIONS	2003	2003	200								200				CL		0
179.0	PLAN	OFFICIAL PLAN REVIEW	2003	2005	250								250				CL		
182.0	PLAN	IMPLEMENTATION OF BEASLEY NEIGHBOURHOOD PLAN	2003	2003	93								93				CL		
186.6	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2003	2003	180								180				RCP-H		
191.0	HECFI	HAMILTON CONVENTION CENTRE - CARPET REPLACEMENT	2003	2003	325								325				RCP-H		
Sub-total 2003 PROJECTS			(NET CITY COSTS - 18,950)			19,972	1,022	0	0	0	0	0	18,950	0	0	0		761	19

2004 PROJECTS

3.7	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2004	2004	1,000	1,000											RPP		
25.7	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2004	2004	900								900				RCP		
26.7	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2004	2004	120								120				CL		
28.7	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2004	2004	50								50				CL		
29.4	PROP	ENERGY MANAGEMENT PROJECTS	2004	2004	300								300				CL		(45)
51.0	PROP	TRAFFIC OPERATIONS CENTRE - REROOFING	2004	2004	500								500				CL		
56.7	FIRE	VEHICLE / APPARATUS REPLACEMENT	2004	2004	515								515				RRME		
65.7	PWD-F	VEHICLE REPLACEMENT PROGRAM	2004	2004	3,021								3,021				RRME		
67.7	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2004	2004	1,126								1,126				RSTUL/RDC		
69.8	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2004	2004	67								67				CL		
74.7	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2004	2004	74								74				CL		
77.3	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2004	2004*	250								250				CL		
81.3	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2004	2004	9,445								9,445				DEB/CL	771	
83.4	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2004	2004	50								50				CL		
96.4	C&R	IVOR WYNNE STADIUM - RENOVATIONS AND REPAIRS	2004	2004	100								100				CL		
118.0	C&R	WESTMOUNT RECREATION CENTRE - RECONSTRUCTION/EXPANSION	2004	2005	3,500								500	3,000			DEB	498	129
122.0	C&R	HAMILTON EAST KIWANIS	2004	2005	8,466	3,182							1,284	4,000			DEB	752	84
130.7	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2004	2004	161	11							150				RPL		1

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS By YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual DEBT Operating Costs	Annual Operating Cost
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
2004 PROJECTS - Continued																			
133.7	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2004	2004	600									600			RDC/RPL		38
135.7	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2004	2004	61	11								50			RPL		5
137.7	PWD-P	PARKLAND ACQUISITION	2004	2004	500									500			RPL		16
139.7	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2004	2004	50									50			CL		
144.0	PWD-P	TENNIS COURT RE-DEVELOPMENT	2004	2004	646									646			CL		0
186.7	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2004	2004	300									300			RCP-H		
Sub-total 2004 PROJECTS			(NET CITY COSTS - 27,598)			31,802	4,204	0	0	0	0	0	0	20,598	7,000	0		2,021	228

2005 PROJECTS

3.8	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2005	2005	1,000	1,000											RPP		
25.8	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2005	2005	900										900		CL		
26.8	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2005	2005	120										120		CL		
28.8	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2005	2005	50										50		CL		
29.5	PROP	ENERGY MANAGEMENT PROJECTS	2005	2005	350										350		RCP		(52)
48.0	PROP	BENNETT RECREATION CENTRE - MECHANICAL/ELECTRICAL RETROFIT	2005	2005	180										180		CL		(2)
52.0	PROP	COPPS COLISEUM - STEAM TO HOT WATER CONVERSION - PHASE III	2005	2006	613										13	600	DEB	87	(5)
53.0	PROP	COPPS COLISEUM - STEAM TO HOT WATER CONVERSION - PHASE IV	2005	2006	312										12	300	DEB	44	
56.8	FIRE	VEHICLE / APPARATUS REPLACEMENT	2005	2005	749										749		RME		
65.8	PWD-F	VEHICLE REPLACEMENT PROGRAM	2005	2005	3,111										3,111		RRME		
67.8	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBSIDIZED LANDS	2005	2005	1,182										1,182		RSTUL/RDC		
74.8	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2005	2005	76										76		CL		
77.4	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2005	2005	250										250		RCP		
81.4	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2005	2005	9,739										9,739		DEB/CL	953	
83.5	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2005	2005	50										50		CL		
124.0	C&R	SOUTH MOUNTAIN LIBRARY/RECREATION CENTRE	2005	2006	16,900										8,900	8,000	DEB/RDC	1,931	1,146
130.8	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2005	2005	161	11									150		RPL		1
133.8	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2005	2005	600										600		RDC/RPL		38

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF DEBT	Annual Operating Cost		
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			FUNDING	Changes
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)			(18)	(19)
2005 PROJECTS - Continued																				
135.8	PWD - P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2005	2005	61	11									50		RPL		5	
137.8	PWD - P	PARKLAND ACQUISITION	2005	2005	500										500		RPL		16	
139.8	PWD - P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2005	2005	50										50		CL			
148.0	PWD - P	TURNER PARK DEVELOPMENT PHASE III	2005	2005	1,420										1,420		CL		60	
180.0	PLAN	PROPERTY ACQUISITION PROGRAM - STAPLETON ENCLAVE	2005	2005	475	100									375		CL			
186.8	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2005	2005	300										300		RCP-H			
Sub-total 2005 PROJECTS			(NET CITY COSTS - 38,027)			39,149	1,122	0	0	0	0	0	0	0	29,127	8,900			3,015 1,207	

2006 PROJECTS

3.9	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2006	2006	1,000	1,000											RPP		
25.9	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2006	2006	1,000											1,000	CL		
26.9	PROP	CUP - REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2006	2006	130											130	CL		
28.9	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2006	2006	50											50	CL		
29.6	PROP	ENERGY MANAGEMENT PROJECTS	2006	2006	350											350	RCP		(53)
56.9	FIRE	VEHICLE / APPARATUS REPLACEMENT	2006	2006	60											60	RRME		
65.9	PWD-F	VEHICLE REPLACEMENT PROGRAM	2006	2006	3,205											3,205	RRME		
67.9	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2006	2006	1,241											1,241	RSTUL		
74.9	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2006	2006	78											78	CL		
77.5	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2006	2006	250											250	RCP		
81.5	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2006	2006	10,031											10,031	DEB/CL	833	
83.6	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2006	2006	50											50	CL		
86.0	PWD-S	MOTOR VEHICLE REQUIREMENTS - SIGNALS AND HOISTS	2006	2006	72											72	CL		
87.0	PWD-S	ENHANCED STREETSCAPING	2006	2006	72											72	CL		12
88.0	PWD-S	FORESTRY RENOVATION - UPPER OTTAWA YARD	2006	2006	90											90	CL		
130.9	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2006	2006	161	11										150	RPL		1
133.9	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2006	2006	600											600	RDC/RPL		38
135.9	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2006	2006	61	11										50	RPL		5
137.9	PWD-P	PARKLAND ACQUISITION	2006	2006	500											500	RPL		16

The Corporation of the City of Hamilton
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Schedule "A"

PROJECTS BY YEAR
 (Thousands of Dollars)

For Consideration of the Committee of the Whole

For Consideration of the Committee of the Whole																				
PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)												NATURE OF DEBT	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	FUNDING CHARGE			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	
2006 PROJECTS - Continued																				
139.9	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2006	2006	50											50	CL			
152.0	PWD-P	TENNIS COURT RE-DEVELOPMENT	2006	2006	247											247	CL			
153.0	PWD-P	LANDSCAPING - HARBOURFRONT CSO TANK	2006	2006	278											278	CL		5	
186.9	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2006	2006	300											300	RCP-H			
192.0	HECFI	CORPS COLISEUM - ROOFING SYSTEM REPLACEMENT	2006	2006	600											600	RCP-H			
Sub-total 2006 PROJECTS			(NET CITY COSTS - 19,454)		20,476	1,022	0	0	0	0	0	0	0	0	0	19,454		833	24	

1997-2006 CAPITAL BUDGET PROGRAM (NET CITY COSTS - 254,588)

PARKING AUTHORITY

200.1	PA	CARPARK DEVELOPMENT / UPGRADES	1997	1997	100		100													
200.2	PA	UPGRADING - EXISTING FACILITIES	1998	2006	900			100	100	100	100	100	100	100	100	100	100	ROSP		
201.1	PA	STUDY & DESIGN - EXISTING AND FUTURE PARKING PROJECTS	1997	1997	50		50													
201.2	PA	STUDY & DESIGN - EXISTING AND FUTURE PARKING PROJECTS	1997	2005	450			50	50	50	50	50	50	50	50	50	50	ROSP		
Sub-total PARKING AUTHORITY			(NET CITY COSTS - 1,500)		1,500	0	150	150	150	150	150	150	150	150	150	150	0			

NOTE: THE IMPLEMENTATION OF PARKING AUTHORITY PROJECTS FINANCED FROM THEIR RESERVE FUND ARE SUBJECT TO THE AVAILABILITY OF FUND.

TOTAL CAPITAL BUDGET PROGRAM

(Net Cost 256,088)

274,109	18,021	24,547	19,651	19,766	22,832	26,552	26,198	28,013	23,748	36,277	28,504	18,294	2,217
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DEPARTMENT ABBREVIATION:	CMT	CORPORATE MANAGEMENT TEAM	HECFI	HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.	TR	TREASURY
BUILDING DEPARTMENT	HPL	HAMILTON PUBLIC LIBRARY	PWD-S	PUBLIC WORKS - STREETS DIVISION	PWD-PUBLIC WORKS - FLEET SERVICES	
CULTURE AND RECREATION	PLAN	PLANNING & DEVELOPMENT	PWD-T	PUBLIC WORKS - TRAFFIC DIVISION	PROP	PROPERTY DEPARTMENT
HOUSING DIVISION (BULDG. DEPT)	PWD-C	PUBLIC WORKS-COMMUNITY RENEWAL (PARKS)	PWD-P	PUBLIC WORKS - PARKS DIVISION	ROAD	REGIONAL ROADS DEPARTMENT

The Corporation of the City of Hamilton
1997-2006 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)										NATURE OF FUNDING	Annual DEPT Charges	Annual Operating COST
			START	FINISH	COST	SUBSIDY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
22002	CL	CAPITAL LEVY (1996 - 2 Mills, 1997 - 2 Mills, 1998 - 2 Mills, 1999 - 3 Mills 2000 - 4 Mills, 2001 - 5 Mills, 2002 & On - 6 Mills)	1997	2006			47,439	2,007	2,017	3,041	4,075	5,119	6,174	6,205	6,236	6,267	6,298		
CH203	RCP	RESERVE FOR CAPITAL PROJECTS - GENERAL	1997	2006			10,780	5,858	604	118	300	200	800	800	900	600	600		
CH212	RDC	RESERVE FOR DEVELOPMENT CHARGES	1997	2006			8,912	160	412	400	700	700	700	700	700	4,040	400		
CH107	RSTUL	RESERVE FOR CITY'S SHARE - UNSUBDIVIDED LAND	1997	2006			8,262	800	840	882	626	672	721	772	826	882	1,241		
CH201	RPL	RESERVE FOR PARKS LAND - 5% LAND DEDICATION	1997	2006			10,740	2,240	1,300	900	900	900	900	900	900	900	900		
CH202	ROSP	RESERVE FOR OFF-STREET PARKING	1997	2006			1,500	150	150	150	150	150	150	150	150	150	150		
CH204	RCP-L	RESERVE FOR CAPITAL PROJECTS & OTHER RESERVE - LIBRARY	1997	1997			266	266											
CH101	RRME	RESERVE FOR REPLACEMENT OF MOBILE EQUIPMENT	1997	2006			34,709	2,625	4,400	2,766	3,044	3,248	4,097	3,868	3,536	3,860	3,265		
CH206	RCP-H	RESERVE FOR CAPITAL PROJECTS - HECFI	1997	2006			5,145	265	905	540	610	230	590	505	300	300	900		
Sub-total	FINANCING FROM CAPITAL LEVY AND RESERVES						127,753	14,371	10,628	8,797	10,405	11,219	14,132	13,900	13,548	16,999	13,754	0	
TOTAL	COST TO BE FINANCED BY THE ISSUANCE OF DEBENTURE - Municipal	(NET COST -	1996	2005			274,109	145,774	10,176	9,023	10,969	12,427	15,333	12,066	14,113	10,200	19,278	14,750	18,294
																			2,217

NOTE: THE IMPLEMENTATION OF ANY PROJECT (1997 AND AFTER) FINANCED FROM RESERVES

& RESERVE FUNDS IS SUBJECT TO THE AVAILABILITY OF RESERVES & RESERVE FUNDS

ASSUMPTIONS: DEBENTURE INTEREST RATE - AMORTIZED OVER 10 YEARS AT 7.00% - ANNUAL PRINCIPAL AND INTEREST PAYMENT PER \$1,000 - \$142.37/5027

202.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS- RESIDENTIAL	1997	1997	585	585													
203.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS- RESIDENTIAL	1998	2001	2,505		600	615	634	656									
204.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS - RESIDENTIAL	2002	2006	3,578														
Sub-total	Owners' share of Locals	(NET OWNERS' COST -	6,668	0	585	600	615	634	656	675	694	715	736	758					
TOTAL NET CAPITAL BUDGET PROGRAM			280,777	145,774	10,761	9,623	11,584	13,061	15,989	12,741	14,807	10,915	20,014	15,508	18,294	2,217			

NOTE:

GROWTH RELATED PROJECT - TIMING DEPENDS ON THE AVAILABILITY OF FUNDING FROM THE RESERVE FOR DEVELOPMENT CHARGES.
BUDGET AS PROPOSED REFLECTS PROJECTED DEVELOPMENT CHARGE FUNDING AVAILABILITY BASED UPON THE PRESENT DEVELOPMENT CHARGES BY-LAW.

Appendix "B" as referred to in Section 1 of the FOURTH Report of the Committee of the Whole for 1997.

**The Corporation of the City of Hamilton
1997-2006 CAPITAL BUDGET PROGRAM**

Schedule No. "C"
(Current Status)

PROJECTED DEBT, YEARLY INCREASE OF DEBT CHARGES AND DEBT CHARGES AS A % OF ADJUSTED LEVY AND GROSS CURRENT BUDGET

FINANCIAL IMPACT - For Consideration of the Committee of the Whole

(Thousands of Dollars)

Line No.	Description	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total
1	DEBT TO BE ISSUED FOR PRIOR APPROVAL		15,000	2,536	1,897									19,433
2	PROJECTED NEW DEBT TO BE ISSUED		10,176	9,023	10,969	12,427	15,333	12,066	14,113	10,200	19,278	14,750		128,335
3	Total Projected Debt to be Issued	0	25,176	11,559	12,866	12,427	15,333	12,066	14,113	10,200	19,278	14,750	0	147,768
4	DEBT CHARGES, for projects approved in prior years		525	0	0	0	0	0	0	0	0	0		2008
5	DEBT CHARGES, if new debt approved in - 1997			2,136	3,585	3,585	3,585	3,585	3,585	3,585	3,585	3,585	3,585	1,449
6	DEBT CHARGES, if new debt approved in - 1998				361	1,646	1,646	1,646	1,646	1,646	1,646	1,646	1,646	1,646
7	DEBT CHARGES, if new debt approved in - 1999					270	1,832	1,832	1,832	1,832	1,832	1,832	1,832	1,832
8	DEBT CHARGES, if new debt approved in - 2000						0	1,769	1,769	1,769	1,769	1,769	1,769	1,769
9	DEBT CHARGES, if new debt approved in - 2001							0	2,183	2,183	2,183	2,183	2,183	2,183
10	DEBT CHARGES, if new debt approved in - 2002								0	1,718	1,718	1,718	1,718	1,718
11	DEBT CHARGES, if new debt approved in - 2003									0	2,009	2,009	2,009	2,009
12	DEBT CHARGES, if new debt approved in - 2004										0	1,452	1,452	1,452
13	DEBT CHARGES, if new debt approved in - 2005											0	2,745	2,745
14	DEBT CHARGES, if new debt approved in - 2006												0	2,100
15	Proposed Debt Charges		525	2,136	3,946	5,501	7,063	8,832	11,015	12,733	14,742	16,194	18,939	18,903
16	PRESENT DEBT CHARGES	15,059	14,120	12,509	11,204	9,878	9,190	7,715	4,690	4,271	2,620	2,620	0	0
17	Total Debt Charges paid out of Mill Rate	15,059	14,645	14,645	15,150	15,379	16,253	16,547	15,705	17,004	17,362	18,814	18,939	18,903
18	Transfer to/(from) reserve for Debt Charges		414	414	210	290	(275)	(250)	910	(50)	(75)	(1,175)	(513)	100
19	TOTAL DEBT CHARGES TO BE BUDGETED	15,059	15,059	15,059	15,360	15,669	15,978	16,297	16,615	16,954	17,287	17,639	18,426	19,003
20	NOTE - DELAYED FINANCING: DEBENTURE FINANCING													
21	DEBT CHARGES - Increase over Prior Year - Amount	0	0	0	301	309	309	319	318	339	333	352	787	577
22	Debt Charges - Increase over Prior Year - As a %	0.0%	0.0%	0.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	4.5%	3.1%
23	Debt Charges - Average compound rate of increase 1997-2006													1.594%
24	DEBT CHARGES AS A % OF ADJUSTED LEVY	11.58%	11.58%	11.58%	11.70%	11.81%	11.93%	12.04%	12.16%	12.28%	12.40%	12.53%	12.96%	13.23%
25	Debt Charges to Levy - Average Increase 1997-2006													12.00%
26														
27														
28	Debt Charges as a % of Gross Budget	9.16%	9.16%	9.16%	9.25%	9.35%	9.44%	9.53%	9.62%	9.72%	9.81%	9.91%	10.25%	10.47%
29	ASSUMPTIONS:													
30	- Capital Levy Provision in the Current Budget	2,015	2,007	2,017	3,041	4,075	5,119	6,174	6,205	6,236	6,267	6,298	6,330	6,361
31	- Adjusted Levy (Inc. 1997 to 98-0%, Other - 1% Annually)	130,038	130,038	130,038	131,338	132,651	133,978	135,318	136,671	138,038	139,418	140,812	142,220	143,642
32	- Current Budget (Inc. 1997 to 98-0%, Other - 1% Annually)	164,331	164,331	164,331	165,974	167,634	169,310	171,003	172,713	174,440	176,184	177,946	179,725	181,522
33														
34	- Interest Rate - Amortized over 10 Years @ 7.00% per annum - Annual Debt Charges Payment per \$ 1,000 is \$						142.378							
35	- The previous Capital Levy Policy of SIX MILLS has now been provided as 2 MILLS for 1997 and 1998 (Same as 1997), 3 MILLS for 1999, 4 MILLS for 2000, 5 MILLS for 2001, 6 MILLS for 2002 & on.													
36	- Assessment growth (Dec. @ 0.4% for 1997 & Inc 0.5% 1998 & on)	1,007,629	1,003,637	1,008,655	1,013,698	1,018,766	1,023,860	1,028,979	1,034,124	1,039,295	1,044,491	1,049,713	1,054,962	1,060,237

URBAN MUNICIPAL
CAY ON HBL AOS
M21
1997

1997 March 25

Minutes of Hamilton City Council
Tuesday, 1997 March 25
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

APR 3 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger,
Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Aldermen: Alderman V. J. Agro - vacation
Alderman G. Copps - vacation
Alderman H. Merling - civic business

Mayor Morrow called the meeting to order.

The National Anthem was played.

Rabbi Morton Green, Adas Israel Synagogue led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 March 11 and the special meeting held 1997 March 18 were adopted as circulated.

PRESENTATION

Mayor R. Morrow presented a Certificate of Recognition to Bill Sharpe, Owner, President and C.E.O. of Lakeport Brewing Corporation for his significant contribution to Copps Coliseum and Hamilton Place for his outstanding corporate support that helped make our Sesquicentennial Celebrations a great success.

CORRESPONDENCE

1. Letter dated 1997 March 17 from the Ontario Public Service Employees Union, Leah Casselman regarding provincial downloading.

Received.

2. Letter dated 1997 March 11 from Frank Mulas for a change in zoning from "AA" (Agricultural) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for property located west of Omni Boulevard south of Upper Horning Road and north of Stone Church Road West, Hamilton, Ontario.

Received.

3. Letter dated 1997 March 19 from Whatmough Management Inc. for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for 412 Aberdeen Avenue, Hamilton, Ontario.

Received.

4. Letter dated 1997 March 24 from A.R.P. Construction Ltd, 45 Christopher Drive, Hamilton for a modification to the "DE" (Low Density Multiple Dwellings) District for 780 Upper Paradise Road, Hamilton, Ontario.

Received.

5. Letter from R. C. Prowse, Regional Clerk for the Regional Municipality of Hamilton-Wentworth respecting a motion adopted by Regional Council at its special meeting held March 11, 1997 re: Local Government Restructuring.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - THIRD REPORT

**Section 5(a) Re: Hamilton Filipino Community Centre - Festival - Bayfront Park;
Hamilton Folk Arts Heritage Council-It's Your Festival - Gage Park;
St. Demetrios Church - Hellenic Community Festival - Victoria Park;
Festitalia Corporation and Carmens Catering Ltd. - Family Style
Picnic - Bayfront Park.
Re: Sale of Alcoholic Beverages**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

**Section 5(b) Re: Portuguese Assoc. of St. Michael - Festival - Dundurn Park Pavilion;
Art Gallery of Hamilton - Fundraising Event-Commonwealth Square;
World Conference on Disaster Management - Commonwealth Square;
Hamilton & District Labour Council - Parade/Picnic - Dundurn Park.
Re: Sale of Alcoholic Beverages**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 6 Re: Greater Hamilton Aquafest - Various Parks - Sale of Alcoholic Beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Rule No. 9 Re: Awarding of Contract - Barrier Free Design Modifications

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order permit consideration of a resolution respecting the award of a contract for the Barrier Free Design Modifications at Mountain Arena. **CARRIED.**

* * * * *

Section 18 Re: Barrier Free Design Modifications - Mountain Arena

It was moved by Alderman Eisenberger and seconded by Alderman Anderson:

That the Third Report of the Parks and Recreation Committee for 1997 be amended by adding the following resolution concerning the awarding of a contract for the Barrier Free Design Modifications at Mountain Arena as Section 18:

18. (a) That a purchase order be issued to STF Construction Limited of Hamilton, Ontario as the General Contractor (lowest bid) for the Barrier Free Design Modifications at Mountain Arena. The Contract amount will be \$126,350 plus construction contingency of \$20,000 plus applicable GST of \$10,245 to a total of \$156,595; and,
- (b) That the work be financed from Canada Ontario Infrastructure Programme, Barrier Free Access-City Bldgs CF809453005; and,
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and the Contractor; and,
- (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City." **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 3 Re: Niagara Escarpment Commission Development Permit

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Ross. -13

NAYS: Alderman D'Amico. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 1 Re: Term of Office - Hamilton Harbour Commission - Duncan Beattie

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Collins. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SIXTH REPORT

Section 1 Re: Payment of Outstanding debts incurred Re: hosting '96 Grey Cup Game

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, McCulloch, Wilson. -3. **CARRIED.**

* * * * *

Section 2 Re: Grey Cup Game - Region assuming 50% for the financial losses

It was moved by Alderman Kiss and seconded by Alderman Wilson that the following be added as Section 2 of the Sixth Report of the Finance and Administration Committee for 1997:

2. That the issue of the Region assuming fifty (50) percent of the losses for the Grey Cup Game, be referred to the Regional Finance Committee. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF APRIL, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Morelli be appointed Acting Mayor for the month of April, 1997. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

1997 March 25

* * * * *

City Council then adjourned at 8:35 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 March 25
JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council

The Parks and Recreation Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the framed works and three dimensional objects from Dundurn Castle's collection listed on Appendix "A" attached hereto; and,

 (b) That the items listed on Appendix "A" attached hereto, be disposed of according to Museum Policy and City of Hamilton Purchasing Policy.
2. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the two dimensional objects from the Hamilton Military Museum's collection listed on Appendix "B" attached hereto; and,

 (b) That the items listed on Appendix "B" attached hereto, be transferred to the Canadian Military History Museum in Brantford as an unconditional donation.
3. (a) That approval be given to the Director of the Culture and Recreation Department to assist the Golden Horseshoe Live Steamers volunteers at the Hamilton Museum of Steam and Technology to secure a license and permit for the model railway under the Ontario Amusement Devices Act; and,

 (b) That the application fees and inspections amounting to \$650 be charged to the Hamilton Museum of Steam and Technology's Account No. CH55303 71405.
4. That permission be granted as required by Parks By-law No. 95-126, Section 29(a), to Cruzaders Classic Car Club of Hamilton to use Pier 4 Park to park cars for their "50's Flashback Cruise Nights" that are being held on 1997 May 30, June 13, July 25, August 8 and September 5, subject to the following terms and conditions:

 (a) That insurance, in the amount of \$3 million, Comprehensive General Liability, Garage Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,

- (b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up; and,
 - (c) A Site Plan of Park to be submitted one month prior to event; and,
 - (d) That Special Duty Officers, as deemed necessary by the Hamilton Wentworth Regional Police, be provided at the applicant's expense; and,
 - (e) That Public Works - Street Vendors remain open during the event; and,
 - (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
5. (a) That approval as required by Parks By-law No. 95-126, Section 11 - to sell alcoholic beverages, Section 29 - park vehicles in a park, Section 35 - to bring horses in a park and Section 37 - to bring animals into a park, be given to the following organizations:
- (i) Hamilton Filipino Community Centre - Festival - Bayfront Park 1997 June 13, 14 and 15, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
 - (ii) Hamilton Folk Arts Heritage Council, It's Your Festival - Gage Park 1997 June 28 to July 1, 12:00 o'clock noon - 11:00 o'clock p.m.; and,
 - (iii) St. Demetrios Church, Hellenic Community Festival - Victoria Park 1997 July 29 to August 4, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
 - (iv) Festitalia Corporation and Carmens Catering Ltd., Family Style Picnic Bayfront Park, 1997 August 2 to August 4; and,
- (b) That approval as required by Parks By-law No. 95-126, Section 11, be given to the following organizations to allow the sale of alcohol in a park:
- (i) Portuguese Association of St. Michael, Festival - Dundurn Park Pavilion 1997 May 23, May 24 and May 25, 12:00 o'clock noon to 10:00 o'clock p.m.; and,
 - (ii) Art Gallery of Hamilton, Fundraising Event, Commonwealth Square, 1997 June 12; and,

- (iii) World Conference on Disaster Management - Commonwealth Square 1997 June 23, 7:00 o'clock p.m. to 11:00 o'clock p.m.; and,
- (iv) Hamilton & District Labour Council, Parade/Picnic Dundurn Park Pavilion 1997 September 1, 8:00 o'clock a.m. to 11:00 o'clock p.m.; and,
- (c) That approval as required by Parks By-law No. 95-126, Section 29 - park vehicles in a park, Section 35 - to bring horses in a park and Section 37 - to bring animals into a park, be given to Hamilton Wentworth Creative Arts Inc. on the occasion of Earthsong Festival in Kay Drage Park, 1997 June 27 to July 31 and the Festival of Friends in Gage Park, 1997 August 8 to August 10 from 12:00 o'clock noon to 11:00 o'clock p.m.; and,
- (d) That the approvals given in Sub-Sections (a), (b) and (c) be subject to the following terms and conditions:
 - (i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
 - (ii) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage, Bodily Injury and Garage Liability and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
 - (iii) That all requirements as identified by the Liquor License Board of Ontario are met; and,
 - (iv) That the Liquor License Board of Ontario be advised that the Hamilton City Council is aware of the listed events being held and deems these events to be a community festival of municipal significance to the City of Hamilton; and,
 - (v) That in this regard, the City of Hamilton has no objections to the issuance of a special occasions permit for the events; and,
 - (vi) That alcoholic beverages be served in a confined area; and,
 - (vii) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,

- (viii) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
- (ix) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (x) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (xi) That permission be granted to the event organizers to charge a parking fee of \$3 - \$5 per vehicle to park at the events; and.
- (xii) That permission be granted to the event organizers to hold carnival/midway rides in the parks during their events; and,
- (xiii) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
- (xiv) That the Public Works and Traffic Department's Street Vendors Program at Bayfront, Gage, and Dundurn Parks be allowed to remain open throughout the events; and,
- (xv) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote on alcohol in parks.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

6. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton-Wentworth to use Bayfront, Pier 4 Park, Eastwood and Bayview Parks to host the Greater Hamilton Aquafest, 1997 July 11 to July 20 from 8:00 o'clock a.m. to 10:00 o'clock p.m. subject to the following terms and conditions:

- (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability and severability of interest clause and thirty (30) days notice of cancellation provision:
 - (i) Comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City including Property Damage, Bodily Injury and Liquor Liability; and,
 - (ii) Owned and Non-Owned Watercraft Liability to a minimum of \$5 million per occurrence; and,
 - (iii) Evidence of Owned Automobile coverage minimum of \$5 million per occurrence; and,
 - (iv) Evidence of Tenant Legal Liability in the amount of \$5 million per occurrence; and,
 - (v) Evidence of Garage Liability in the amount of \$5 million per occurrence; and,
- (b) That all requirements of the Liquor Licence of Ontario are met; and,
- (c) That alcoholic beverages be served in the confined area; and,
- (d) That the Region and their workers, who are providing alcoholic beverages, be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
- (e) That the Liquor License Board of Ontario be advised that Hamilton City Council is aware of the Greater Hamilton Aquafest being held this year from 1997 July 11 to July 20 at Hamilton Harbour locations and deems this event to be a community festival of municipal significance to the City of Hamilton; and,
- (f) That in this regard, the City of Hamilton has no objections to the issuance of a temporary extension of a liquor license to the following licensed establishments in conjunction with the Aquafest activities:
 - (i) Macassa Bay Yacht Club
 - (ii) Leander Rowing Club
 - (iii) Royal Hamilton Yacht Club
 - (iv) Sgt. Mess. - HMCS Star; and,

- (g) That the Liquor License Board of Ontario be advised that the following community organizations will be applying for a Special Occasion Permit under community festival of municipal significance:
 - (i) Kinsman
 - (ii) Hamilton Ships Company of 1812; and,
- (h) That the Region of Hamilton-Wentworth enter into a License Agreement Satisfactory to the City Solicitor; and,
- (i) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (j) That the Region assume responsibility for all labour-related costs as a result of this event, including setup and cleanup; and,
- (k) That the Aquafest organizers be granted permission to charge a \$5 admission fee to the stage area of the park on specific dates and a \$5 parking fee according to the Special Events Guidelines; and,
- (l) That the Public Works and Traffic Department's Street Vendors' Program at Bayfront and Pier 4 Parks be allowed to remain open throughout the festival; and,
- (m) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.P.) be advised of this event and be invited to attend in order to monitor the event's activities; and,
- (n) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote on alcohol in parks.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

7. (a) That approval be given to the Director of the Culture and Recreation Department to amend the Special Events Guidelines by adding the following section and sub-sections:

"Standard Terms and Conditions"

- (i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
- (ii) That insurance, in the amount of \$2 million or \$3 million dollars Comprehensive General Liability Insurance for Property Damage, Bodily Injury and Garage Liability and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
- (iii) That all requirements as identified by the Liquor License Board of Ontario are met; and,
- (iv) That the Liquor License Board of Ontario be advised that the Hamilton City Council is aware of the listed events being held and deems these events to be a community festival of municipal significance to the City of Hamilton; and,
- (v) That in this regard, the City of Hamilton has no objections to the issuance of a special occasions permit for the events; and,
- (vi) That alcoholic beverages be served in a confined area; and,
- (vii) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
- (viii) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
- (ix) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (x) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (xi) That permission be granted to the event organizers to hold carnival/midway rides in the parks during their events; and,

- (xii) That all event organizers use a qualified, licensed supervisor to light the fireworks display; and,
 - (xiii) That all event organizers adhere to Fireworks By-law No. 90-198; and,
 - (xiv) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and.
 - (xv) That the Public Works and Traffic Department's Street Vendors Program at Bayfront, Gage, and Dundurn Parks be allowed to remain open throughout the events; and,
- (b) That applications for a Special Event will be subject to the Terms and Conditions of the Special Events Guidelines, as amended.
8. That approval be given to the action taken by Mayor Robert Morrow to sign a Cost-Sharing Agreement, satisfactory to the City Solicitor, between the Government of Canada and the City of Hamilton for the protection of conservation and the presentation of the Hamilton Waterworks (Hamilton Museum of Steam and Technology).
9. That approval be granted to the Director of the Culture and Recreation Department to enter into a contract in a form acceptable to the City Solicitor, with Restauronics Services Ltd. as the most competitive response to a Request for Proposal as issued through the Purchasing Division on 1997 January 28, and closed 1997 February 21, for the Supply, Operation and Maintenance of Vending Machines in various Culture and Recreation Facilities, to begin on 1997 May 1, for a term of two years and set to complete as of 1999 April 30, with an option for a third year upon mutual agreement, at an annual guaranteed revenue of not less than \$20,000.
10. That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of Parks By-law No. 95-126, be given to the organizations as follows:
- (a) Kirkendall Recreation Association, Highland Gardens Parks, 1997 May 19, Rain Date: 1997 May 20; and,
 - (b) Communita Raculmutese Maria SS Del Monte, Eastwood Park, 1997 June 22
- to hold a Fireworks Display on City property on dates specified, subject to the following terms and conditions:

- (i) That the organizations use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (ii) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,
 - (iii) That the organizations comply with all sections of By-law No. 90-198; and,
 - (iv) That the organizations agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
11. (a) That a legal agreement satisfactory to the City Solicitor be entered into between the City of Hamilton and the Federal Development of Fisheries and Oceans such that the City will provide landscape design services for the lands adjacent to the Hamilton Harbour Waterfront Trail; and,
- (b) That the Treasury Department establish an account to which the Federal Development of Fisheries and Oceans funds will be deposited; and,
- (c) That the Mayor and the City Clerk execute the contract on behalf of the City.
12. (a) That approval be given to the Commissioner of Public Works and Traffic to enter into a contract with W. H. Reynolds (Cambridge) Ltd. in the amount of \$106,740 plus \$16,000 contingency plus \$7,472 G.S.T. for the supply and installation of new bleachers and the supply and installation of new aluminum planking on existing bleachers being the lowest acceptable of three tenders received in accordance with specifications C16-1-97 issued by the Purchasing Division and vendors tender; and,
- (b) That the amount of \$130,212 for the supply and installation of bleachers be funded from Account No. CF5200 629154022 - Mohawk Sports - Floodlighting, Bleachers.
13. (a) That the City of Hamilton enter into a joint use agreement with the Hamilton Board of Education for a 1.0 ha (more or less) of land located at Prince Philip School adjacent to Alexander Park for the sum of \$1 per annum to construct and maintain a T-ball diamond; and,

- (b) That the agreement with the Hamilton Board of Education shall be in a form satisfactory to the City Solicitor; and,
 - (c) That the Mayor and City Clerk be authorized to sign the lease agreement; and,
 - (d) That the City of Hamilton enter into a lease agreement with Ontario Hydro for two (2) parcels of land totalling 1.65 ha (more or less) located within the hydro corridor between Emerson Street and Lower Horning Road for a minimal sum per annum to construct a parking area and recreational trail.
- 14.
- (a) That a purchase order be issued to Wesco Distributors Inc., Hamilton, in the amount of \$70,000 for the supply and delivery of light fixtures, as and when required during 1997 for various parks and streets being the lowest of four tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH5197 60999; and,
 - (b) That a purchase order be issued to Hesco Electric Supply, Hamilton, in the amount of \$70,000 for the supply and delivery of light fixtures, as and when required during 1997 for various parks and streets, being the lowest of four tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH56197 60999; and,
 - (c) That a purchase order be issued to Powco Steel Products Ltd., Barrie, Ontario in the amount of \$70,000 for the supply and delivery of light poles as and when required during 1997 for various parks and streets, being the lowest of five tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH56197 60999; and,
 - (d) That a purchase order be issued to Toronto Fabricating and Manufacturing Co., Mississauga, Ontario in the amount of \$70,000 for the supply and delivery of light poles, as and when required during 1997 for various parks and streets, being the lowest of two tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH56197 60999.

15.
 - (a) That approval be granted to a change in scope for Capital Project CF 709341017, Future West Mountain Bocce Facility to provide for the construction of a four lane outdoor lit bocce court facility on the grounds of the Chedoke Twin Pad Arena with a budget upset limit of \$108,267; and,
 - (b) That the project remain within the responsibility of the Department of Culture and Recreation and that the construction project be managed and undertaken by the Department of Public Works and Traffic; and,
 - (c) That the Director of Culture and Recreation and City Solicitor be authorized to negotiate a primary use agreement with the MacNab Bocce Club for use of the North Meeting Room of the Chedoke Twin Pad Arena.
16.
 - (a) That approval be given to enter into a contract with STF Construction Limited, Hamilton in the amount of \$127,197 plus \$8,903.79 G.S.T. for the construction of sun shelters and concrete buildings in Central, Berrisfield and Broughton East Parks subject to approval of the 1997 Capital Budget; and,
 - (b) That the amount of \$136,100.79 for construction of the sun shelters be funded from the 1996 and 1997 Park Development and Redevelopment Programmes; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the construction contract in a form satisfactory to the City Solicitor.
17.
 - (a) That the construction of a Meeting Room and Washrooms in the Gourley Park Agreement attached as Appendix "C", be approved and the Mayor and City Clerk be authorized and directed to execute the Agreement; and,
 - (b) That the License to Occupy the Premises Located in Gourley Park and Washroom Construction Agreement attached as Appendix "D", be approved and the Mayor and City Clerk be authorized and directed to execute the Agreement; and,
 - (c) That approval be given to the Commissioner of Public Works and Traffic to enter into a contract with STF Construction Limited, Hamilton in the amount of \$107,069 plus \$10,000 contingency, plus \$8,194.83 G.S.T. (total \$125,263.83) for the construction of the sun shelter/community building at Gourley Park being the lowest of six (6) tenders received in accordance with specification C16-3-97 issued by the Purchasing Division and vendors tender subject to approval of the 1997 Capital Budget; and,

- (d) That the amount of \$125,263.83 for construction of the sun shelter/community building be funded from the 1996 and 1997 Park Development and Redevelopment Programme Capital Fund Accounts; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the construction contract in a form satisfactory to the City Solicitor.
18. (a) That a purchase order be issued to STF Construction Limited of Hamilton, Ontario as the General Contractor (lowest bid) for the Barrier Free Design Modifications at Mountain Arena. The Contract amount will be \$126,350 plus construction contingency of \$20,000 plus applicable GST of \$10,245 to a total of \$156,595; and,
- (b) That the work be financed from Canada Ontario Infrastructure Programme, Barrier Free Access-City Bldgs CP809453005; and,
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and the Contractor; and,
- (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City. **ADDED.**

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1997 March 18

**Appendix "A" as referred to in
Section 1 of the Third Report
of the Parks and Recreation
Committee for 1997**

ARTIFACTS TO DEACCESSION FROM DUNDURN CASTLE COLLECTION

OC.324.51a,b	pink satin shoes
OC.52a,b	purple satin shoes
OC.335.47a,b	white satin shoes
OC.361.102b	child's brown leather shoe
OC.361.104	child's brown leather shoe
979.8.25	silver trophy/chalice
1994.51.1	metal handle
1994.51.3	silver dish
1992.14.1	silver condiment container
1994.51.2	silver dish
1993.18.1	silver dish
979.OC.370.62	fan
1971.20.44	beaded drawstring bag
OC.330.3	beaded pillow
OC.330.2	beaded pillow (heart shaped)
1992.7.1a	wooden box for children's blocks
1992.7.1b to z	children's blocks
1992.7.1aa to aq	children's blocks
1979.20.11.1 to 5	school certificates (20th c)
1979.20.10	British Empire Games Certificate
1967.11.4	pewter teapot
1983.60.2	sugar bowl
1983.60.1	creamier
1983.60.3	trivet
OC.833.1	coronation cup
OC.733.1	coronation cup
1976.11.43	man's hat

1971.1?3	hat with red feathers
1971.1985.2	blue had (conductor's style)
1970.101.1,2	metal garden vases
1978.22.1	bound Albion Gazettes
OC.366.134	marriage license
1994.8.1	ceremonial ribbon
1992.11.1	"
1992.12.1	cross flag badges
1994.6.1	ceremonial ribbon
1994.7.1	"
1994.9.1	"
1970.158.1	"
1969.333.1	wood/iron piece (unidentified)
99L.477.2	frame/glass
994.1001.1	frame
1988.5.34	silver teaspoon
1988.5.40	"
1988.5.36	silver fork
1969.161	teapot
1967.119.7.1	teacup (chinese motif)
1967.119.8.1	"
1967.119.9.1	"
1967.119.10.1	"
1967.119.11.1	"
1967.119.7.2	saucer (chinese motif)
1967.119.8.2	"
1967.119.9.2	"
1967.119.10.2	"
1967.119.11.2	"
1967.119.12	serving dish
1967.119.1,2,3,4	salad plates
1971.22.1.9.1,2	greeting cards
366.6	photo (ui)
366.8	photo (ui)
366.110d	choir photo
366.8	coronation flyer
366.73	Japan Herald - 1896
366.12	booklet

366.3	booklet
975.16.91	paper francs (5 pieces)
979.11	paper money
979.15.1	booklet
366.13	booklet
366.15	jubilee card
366.17,18	greeting cards
1994.34.1 to 8	chinese scriptures
366.131	map
1982.32.2	broken crock pot
1972.573	badly repaired vase
1968.20.16	broken plate
1970.163.1	fork
366.110a,b,c	two volumes and case
1972.220	wooden screwing item (?)
1983.50.16	cork
979.OC371.3	certificate
1982.22.71a	medals -1897
1969.327	belt loop
979.OC.270.8,9	photos - 1911
1993.2.1	booklet
1993.6.1	newspaper article
1994.48.1	1920's photo
366.26	book
366.28	autograph book
1979.20.13,14,15	books
1971.21.139a	photo - bride
1971.20.42.1	belt - needlepoint
1971.20.42.2	"
1966.96.16	pottery bowl
OC329.53	fan
OC601.?	wooden darning egg ?
1969.25.3b	wooden fragment
1973.249	book cover
366.9	railroad memo
366.10	marriage certificate
1944.4.1	photo (ui)
1944.5.2,4	postcards
1994.5.1,3,5,6,7,8	photo cards
1994.5.7	negative
OC270.10	photo

1971.22.1.28	photocards
1971.22.1.5.2	"
1971.22.1.11	"
1971.22.1.54	"
1971.22.2.15.2,3,4,5	"
1971.22.1.6.1	"
1971.22.1.8.2	"
OC1073.2,3,4,11	"
1971.22.1.1	"
OC1073.6,9	"
979.8.19	trophy
1980.36	wood and metal implement
1972.149	metal cookie cutter (?)
1466.5.3	saw
1984.98.2	knife
1972.156	funnel
1966.? .4	clippers
1972.14?	cookie cutter (?)
1967.254.?	carving fork
1966.117.8	coring tool (?)
1993.15.1a-c	insulated silver serving dish
OC336.20a-f	wind instrument and case
OC366.23	book
58.2.7	2 frames
OC366.19	ribbon
1971.219.6	lithograph
1980.3.11	purse
1982.19.8b	eyeglass case
1971.303	framed tinted engraving
OC366.74	photo
OC269.14	photo
1994.46.1	framed photo
1994.35.1	ribbon
OC366.126	"
OC366.128	embroidered card
OC366.79	photo
1994.37.1	1901 invoice
1994.36.1	unrecognizable
OC366.133	marriage certificate
OC366.16	paper Union Jack
OC688.1	sharks teeth
1975.16.89	tickets
979.OC370.45	button and ribbon

OC361.109	coin
OC361.108	badge
975.16.88	tickets
OC960.1	medallion
1979.22	medallion
1975.16.90	1907 Expo tickets
1975.16.90	street railway tickets
OC366.14	photo

1992.8.2a,3a,4a, 5a,6a,7a,8a,9a,10a	calling cards
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978.21.13.1,2,4,5,6	stereoscope images
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975.10.3,4,5, 6,7,8,9,10,11,	stereoscope images
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976.4.1,2,3,4,5,6, 7,8,9,10,11,12,13,14,15	"
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977.20.1,2,3,4,5,6,7,	"
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978.21.1.1,2,3,4,5,6	"
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978.21.2.1,2,12	"
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978.21.3.2,3,4,5,	"
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978.21.4.1,2,3,4,6,10	"
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978.21.5.2,3,4,5,6,9,10,11	"
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978.21.6.1,2,3,4,5,6,7	"
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978.21.7.1,3,	"
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978.21.8.1,2,3,4,10,11,13,14	"
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978.21.11.2	"
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978.21.12.9	"
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978.21.13.6,5,	"
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978.21.14.1,2,3	"
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OC366.80,82,83,84, 85,86,87, 88,89,90, 91,92,93,94	photocards
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OC10.73.10,28, 29,30,31,32,33,60	"
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OC366.5,7,14,16,97,116	photos
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**Appendix "B" as referred to in
Section 2 of the Third Report
of the Parks and Recreation
Committee for 1997**

Two dimensional objects to be deaccessioned from the Hamilton Military
Museum collection:

77.245.1	Panoramic photograph: Quebec Tercentenary, review of the troops
O.C. 585.1	Panoramic photograph: Quebec Tercentenary, fleet Royal Salute for the Prince of Wales
O.C.337.1	Panoramic photograph: 173rd Battalion, World War 1
76.97.1	Map of Quebec, 1841

THIS AGREEMENT made in quadruplicate this 26th day of March, 1997.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(Hereinafter called the "City")

OF THE FIRST PART,

- and -

THE GOURLEY PARK COMMUNITY ASSOCIATION

(Hereinafter called the "Association")

OF THE SECOND PART.

WHEREAS the City is the owner of Gourley Park (hereinafter called the "Park"), municipally known as 000 Duncairn Crescent, located in the City of Hamilton;

AND WHEREAS the City had planned to construct a sun shelter building at the Park;

AND WHEREAS the Association has approached the City to enlarge the proposed building with the Association paying for the increased construction costs;

AND WHEREAS on March 25, 1997, City Council, in adopting Section (specify) of the (specify) Report of the Parks and Recreation Committee, authorized this Agreement;

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

1. Subject to the terms of this Agreement, the City agrees to construct a building in Gourley Park containing a meeting room and washrooms, as shown on the plan attached to this Agreement as Schedule "A".
2. The Association agrees to pay the total cost of constructing the meeting room and washrooms (hereinafter called the "Premises") to be constructed in the Park, as shown on Schedule "A" attached to this Agreement.
3. The Association acknowledges that the City will only be constructing the bare walls of the Premises and that the Association will be responsible for completing the Premises, including the wiring, plumbing fixtures and wall coverings.
4. The Association Agrees to pay to the City \$15,000.00 at the date of signing of this Agreement. Thereafter, the Association shall pay to the City \$5,000.00 per year, commencing on December 15, 1997, and on each and every December 15th until the total cost of the Association's part of the building is fully paid for.
5. If the Association makes all the payments as described in paragraph 4, the City will not charge interest on the Association's outstanding debt to the City.
6. When the tenders are received, the City shall inform the Association of the cost of the Association's portion of the total building construction cost.

7. The Association acknowledges that the use and occupation of the Premises is subject to a Licence Agreement to be executed by both parties.
8. If the Association fails to repay to the City the outstanding construction costs of the Premises in accordance with this Agreement, the City may, without limiting its other remedies, terminate the occupation Licence.
9. The Association acknowledges that it had the opportunity to obtain legal advice prior to signing this Agreement.

IN WITNESS WHEREOF the said parties have hereunto affixed their authorized signatures and seals.

Signed, Sealed and Delivered
in the Presence of:

**THE CORPORATION OF THE
CITY OF HAMILTON**
per:

Mayor

Approved as to
form and content

Date: _____

City Solicitor

Date

City Clerk

Date: _____

**GOURLEY PARK COMMUNITY
ASSOCIATION**
per:

(seal)

Date: _____

(seal)

Date: _____

\\CONT\GOURLEY4.2ND

DATED THIS 26TH DAY OF MARCH, 1997

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

GOURLEY PARK COMMUNITY ASSOCIATION

A G R E E M E N T

Re: Construction of Meeting Room and Washrooms in
Gourley Park

City Solicitor
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-20-369/97.1
LEF:as

THIS AGREEMENT made in quadruplicate this (specify) day of (specify), 1997.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON

(Hereinafter called the "City")

OF THE FIRST PART,

- and -

THE GOURLEY PARK COMMUNITY ASSOCIATION

(Hereinafter called the "Association")

OF THE SECOND PART.

WHEREAS the City is the owner of Gourley Park, municipally known as 000 Duncairn Crescent, located in the City of Hamilton;

AND WHEREAS the Association and the City have agreed to use part of the Gourley Park land for the purpose of constructing a City owned building containing a meeting room and washroom (hereinafter called the "Premises"), as shown on the diagram attached as Schedule "A";

AND WHEREAS on (specify date), City Council, in adopting Section (specify) of the (specify) Report of the Parks and Recreation Committee, authorized this Agreement;

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

1. GRANT OF LICENCE

Subject to the terms and conditions of this Agreement, the City hereby grants the Association a licence to occupy the Premises located in Gourley Park as shown on the diagram attached to and forming part of this Agreement as Schedule "A", for the sum of Two Dollars (\$2.00) per year.

2. This Agreement shall commence on (specify) and shall terminate on (specify) unless terminated early pursuant to this Licence Agreement. The Agreement may be renewed with City Council's consent.
3. The Association may use the Premises only for the purpose of a meeting room and washroom for the Association, subject to annual review and approval of use plans by the City.
4. The building will be constructed by the City to the bare walls only. The Association shall pay the cost of finishing the Premises, including, but not limited to, dry walls, plumbing fixtures and electrical wiring.
5. The Association shall discharge all liabilities incurred by it for labour, materials or services used or reasonably required for use in the performance of this Contract on the date upon which each becomes due.

The Association shall cause each Sub-contractor engaged in the performance of this Contract to discharge all liabilities incurred by such Sub-contractor for labour, materials or services used or required for use in the performance of this Contract.

The Association shall ensure that all of the persons constructing the Premises comply with the Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1.

6. The Association shall be solely responsible for the maintenance of the Premises. The Premises shall be maintained in a neat and clean condition to the satisfaction of the City.
7. The City shall have the right to inspect the Premises at all times and the Association shall give the City one set of keys to the Premises.
8. The Association may not apply for any Liquor Licence for the Premises under the Liquor Licence Act of Ontario.
9. The Association shall pay one half of the total cost of the Hydro Service to the combined building. The Association shall be invoiced by the City for the Hydro cost and shall pay the invoice within 15 days of the invoice being issued.
10. The Association shall pay one half of the heating costs for the entire building. The Association shall be invoiced by the City for this cost and shall pay the invoice within 15 days of the invoice being issued.
11. The Association agrees to pay any property and education taxes or charges levied against the City as a result of the Association's occupation of the Premises.
12. The Association may rent the Premises to other groups, but may not charge the other group more than the Association's true cost arising out of the other group's use of the Premises. The Association shall not unreasonably withhold its permission to allow the use of the Premises by another group. The City reserves the right to mediate any disputes relative to use of the Premises.
13. **PUBLIC LIABILITY - INDEMNIFICATION AND INSURANCE**
 - (a) The Association shall use and occupy the Premises in a careful, safe, lawful and proper manner and shall so conduct its activities in or about the Park and Premises as not to endanger any property or any person thereon; and, with the sole exception of claims arising entirely by reason of an Act of God, shall indemnify and save harmless the City against any and all claims and costs of the City of Hamilton, or of other persons, arising in any way out of the performance of this Licence Agreement or out of the Association's occupation of the Premises.
 - (b) The Association hereby releases the City from any and all liability to any persons (including the Association and third parties) for any loss, damage or injury to any person or property incurred in or upon any property occupied by the Association.
 - (c) The Association agrees to obtain and maintain a comprehensive general liability policy:
 - (i) naming the City as an additional named insured party;
 - (ii) including the following extensions of coverage:

Broad Form Property Damage
Occurrence Property Damage
Personal Injury
Blanket Contractual
Completed Operations
Owner's Protective
Employees added as additional Named Insured
Cross Liability

Non-owned Automobile, including S.E.F. 96
Employer's Liability & Contingent Employer's Liability

- (iii) providing not less than TWO MILLION DOLLARS (\$2,000,000.00) inclusive limits of liability;
- (iv) providing that the Policy shall not be cancelled without sixty (60) days written notice to the City.
- (d) The Association shall furnish to the City a certified copy of such policy of insurance throughout the continuation of this Licence Agreement.

14. **DEFAULT**

The Association shall be in default under this Agreement if:

- (a) the Association does not pay to the City any payment required hereunder when due, or
- (b) the Association fails to maintain the insurance coverage required under clause 13 herein, or
- (c) the Association fails or neglects to comply with or perform any covenant or term of this Agreement and such failure or neglect continues for a period of 30 days after receipt by the club of written notice from the City setting out the particulars of such non-compliance.
If the Association has failed to remedy such non-compliance on the expiry of thirty days after receipt of such written notice the City may, at its option, perform or cause to be performed any such covenants or obligations and all expenses incurred by the City in so doing shall be immediately payable as part of the annual licence fee under clause 1 (one) herein, or
- (d) the Association shall make an assignment for the benefit of its creditors or have a receiving order made against it or become bankrupt or insolvent or if any action shall be taken to wind up, dissolve or liquidate the Association.

15. **TERMINATION BY CITY**

- (a) This Agreement may be terminated by the City by written notice to the Association in the event of default by the Association as set out in clause 14 above.
- (b) This Agreement may also be terminated by the City on six month's notice to the Association if the licensed land is required for a park or other municipal use.

16. **CONSEQUENCES OF TERMINATION**

Upon termination or expiration of this Agreement:

- (a) the Association shall immediately cease all of its operations at the Premises and, within a period of ten (10) days after termination, remove from the Premises all of the Association's property and equipment and shall repair any damage caused by the Association to the Premises by such removal;
- (b) the Association shall, within ten (10) days following such termination, pay to the City all payments owing under this Agreement;
- (c) the City shall be free to enter into an Agreement similar to this Agreement with any other party.

17. **EXTENSION OF LICENCE**

If the term of this licence expires without further written agreement of the parties and the Association continues to use the Premises with the permission of the City, then this Licence Agreement shall be deemed to continue in full force and effect upon the same terms and conditions until the City or the Association gives thirty (30) days written notice of termination to the other party.

18. **LAW, RULES AND REGULATIONS**

The Association covenants for itself, its servants, agents, and employees that it will observe, keep and perform all rules, regulations and by-laws of the City, its Police Department, its Fire Department and the Fire Marshall and with any other department of the City, Provincial or Federal Governments, or any other proper authority in that behalf including, but not limited so far as the same shall relate to conditions of sanitation, health, fire prevention, safety, crowd control or otherwise howsoever in relation to the Premises and the use and occupation thereof, and will in all respects conduct its operations therein strictly in accordance with the law. The association further covenants for itself, its servants, agents and employees to use its best efforts to ensure that its patrons will also observe, keep and perform all rules, regulations and by-laws as set out above.

- 19. No reference to, nor exercise of, any specific right or remedy by the City shall prejudice or preclude the City from exercising any other remedy, whether allowed at law or in equity or expressly provided for herein. No such remedy shall be exclusive or dependent upon any other such remedy, but the City may from time to time exercise any one or more of such remedies independently or in combination.
- 20. This Licence Agreement shall be governed by, and construed under, the laws of the Province of Ontario.
- 21. Time is of the essence of this Licence Agreement, and if any enlargement or extension of time shall be granted, time shall continue to be of the essence in respect of the enlargement or extension of time.
- 22. No provision of this Licence Agreement shall be deemed to have been waived by the City unless such waiver is in writing and signed by the City. A waiver of the City of a breach of any term or condition of this Licence Agreement shall not prevent a subsequent act, which would have originally constituted a breach, from being of the force and effect of any original breach. Receipt by the City of consideration under this Licence Agreement with knowledge of a breach by the Association of any term or condition of this Licence Agreement shall not be deemed a waiver of such breach. Failure by the City to enforce against the Association any of the Rules and Regulations under Paragraph 16 shall not be deemed a waiver of such Rules and Regulations.
- 23. No amendment, modification or supplement to this Licence Agreement shall be valid or binding unless set out in writing and executed by the parties hereto.

24. This Licence Agreement contains the entire agreement between the parties hereto with respect to the subject matter thereof. the Association acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty of the City except as set out in this Licence Agreement.
25. In construing this Licence Agreement, words in the singular shall include the plural, and visa versa and words importing the masculine shall include the feminine and the neuter and visa versa, and words importing persons shall include corporations and vice versa.
26. This Licence Agreement shall enure to the benefit of, and be binding upon, each of the parties hereto, and each of their respective successors and assigns.
27. **NOTICES**

Any notices required or permitted to be given hereunder shall be sufficiently given if delivered or mailed by prepaid registered mail as follows:

- (a) If to the City:

The City Clerk
The Corporation of the City of Hamilton
City Hall, 71 Main Street West
P. O. Box 2040
Hamilton, Ontario
L8N 3T4

- (b) If to the Association:

Gourley Park Community Association
(specify address)
Hamilton, Ontario
(specify postal code)
Attention: (please specify)

Any notice so given shall be deemed to have been received on the date of personal delivery or on the fourth business day after the date of mailing, as the case may be.

The Association shall give the City prompt Notice of any change in the Association's address for service.

IN WITNESS WHEREOF the said parties have hereunto affixed their authorized signatures and seals.

Signed, Sealed and Delivered
in the Presence of:

THE CORPORATION OF THE
CITY OF HAMILTON
per:

Mayor

Date: _____

Approved as to
form and content

City Solicitor

Date

City Clerk

Date: _____

GOURLEY PARK COMMUNITY
ASSOCIATION
per:

(seal)

Date: _____

(seal)

Date: _____

\\CONT\GOURLEY5.LIC

DATED THIS (SPECIFY) DAY OF (SPECIFY), 1997

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

GOURLEY PARK COMMUNITY ASSOCIATION

A G R E E M E N T

Re: Licence to Occupy the Premises Located in Gourley
Park and Washroom

City Solicitor
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-369/97.1
LEF:as

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to Official Plan Amendment No. 137 designating four parcels of land in the Bayfront Industrial Area from "Open Water" to "Industrial" to recognize the prevailing zoning districts; and,
(b) That the Director of Planning and Development be directed to prepare a By-law in a form satisfactory to the City Solicitor, to adopt Official Plan Amendment No. 137 for presentation to City Council.
2. That the securities related to Site Plan Control Application DA-94-32 by Halam Park Housing Co-operative Inc., lessee of lands bounded by East 27th Street, Halam Avenue and East 25th Street, as shown on the attached map marked as Appendix "A", be retained at a minimum 50% of the construction costs in accordance with Council policy.
3. (a) That City Council endorse the continuation of Niagara Escarpment Commission Development Permit Application No. W/R/96-97/87, respecting the unopened road allowance on Angela Drive, as shown on the attached map marked as Appendix "B", and that the appropriate staff (eg. Law, Property and Planning and Development Departments) be authorized to attend a Niagara Escarpment Hearing in support of this application; and,
(b) That the Niagara Escarpment Commission, on behalf of the City of Hamilton, forward a request to the Minister to delay the signing of the regulation to remove the development control regulation for the unopened road allowance on Angela Drive until this matter is resolved.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Ross. -13

NAYS: Alderman D'Amico. -1.

CARRIED.

4. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049:

"the lands composed of part of Lot 25, Concession 1, formerly in the Township of Saltfleet, now in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, said parcel of vacant land being more particularly described as Part 2 on Registered Plan 62R-3948, having a frontage on the south end of Lanark Street of 19.150 metres (62.830 feet) more or less, by a depth of 82.601 metres (271.00 feet) more or less and containing an area of 0.065 hectares (0.160 acres) more or less."; and,

- (b) That an Offer to Purchase, duly executed by the purchaser 685810 Ontario Limited, on 1997 March 6 and scheduled to close on or before 1997 May 5, for the lands composed of part of Lot 25, Concession 1, formerly in the Township of Saltfleet, now in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, said parcel of vacant land being more particularly described as Part 2 on Registered Plan 62R-3948, having a frontage on the south end of Lanark Street of 19.150 metres (62.830 feet) more or less, by a depth of 82.601 metres (271.00 feet) more or less and containing an area of 0.065 hectares (0.160 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$12,800. be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (c) That the required deposit cheque in the amount of \$1,280. be held by the City Treasurer pending Council approval; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
- (i) satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) no appraisal of the fair market value of the real property being sold was obtained as the lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

- (iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

5. That Schedule "B" of By-law No. 97-012, appointing the Barton General B.I.A.'s Board of Management be repealed and the following names substituted:

SCHEDULE "B"

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
K. Jokic	Bank of Montreal
D. Tranor	Dell Pharmacy
N. LaSala	Nick's Auto Service

6. (a) That the Planning and Development Department staff be authorized to hold a public meeting to consider a proposed street name change from Dulgaren Street to Dalia Avenue for that portion of Dulgaren Street located between Upper Sherman Avenue and the future extension of Eaglewood Drive, as shown on the attached map marked as Appendix "C"; and,
- (b) That the City Clerk be directed to give notice of a Public Meeting regarding the proposed name change.
7. That a Heritage Permit be approved for the following exterior alterations/additions to the building at 90 Stinson Street (designated under the Ontario Heritage Act), as shown on the drawings (north, east and west elevations) dated 1997 March 3 attached hereto and marked as Appendix "D":

NORTH FACADE (as shown on the attached north elevation)

- replacement of single-pane glazing of all original wood windows with thermopane glazing (preferred option) or replacement of existing wood windows with wood-framed thermopane units, to replicate appearance of original windows; and,
- replacement of single-pane glazing in the original double wood entrance doors with thermopane glazing; and,
- one-storey addition extending along east facade and set back from front facade; north facade of addition comprises a stuccoed base with a band of three aluminum windows modelled on the two-over-two wood sash window on the

- north facade of the one-storey stone addition on the west side of the building; and,
- concrete ramp with steel handrail to doorway on west side of tower.

EAST FACADE (as shown on the attached east elevation)

- one-storey addition extending across full facade of existing building and the rear addition; wall treatment identical to north facade, except for set of double doors; and,
- some wood windows to be reglazed or replaced (as described for north facade); others to be replaced with aluminum thermopane sash windows; and,
- three new gabled dormers with aluminum windows (two on roof of existing rear wing and one on roof of new rear extension); and,
- rear addition (extension of existing rear wing) with a large multi-paned aluminum window on the second storey; and,
- new double entrance doors on east wall of tower to replicate existing glazed wood doors on the south and west facades (originally three identical doorways).

WEST FACADE (as shown on the attached west elevation)

- most windows to be treated in a similar manner to those on east facade; one second and one third storey window to be blocked up by means of permanently closed wood shutters; one window opening on the first floor to be filled in with stone masonry to match existing wall; and,
- two new entrances to be built on either side of the masonry-filled window opening, one with a canopy for the new elevator; and,
- replacement of single-pane glazing in the original double wood entrance doors of the tower with thermopane glazing; and,
- rear addition with two new windows, one dormer, one doorway and stuccoed exterior; and,
- reconfiguration of roofline of section of rear wing to accommodate top of elevator shaft.

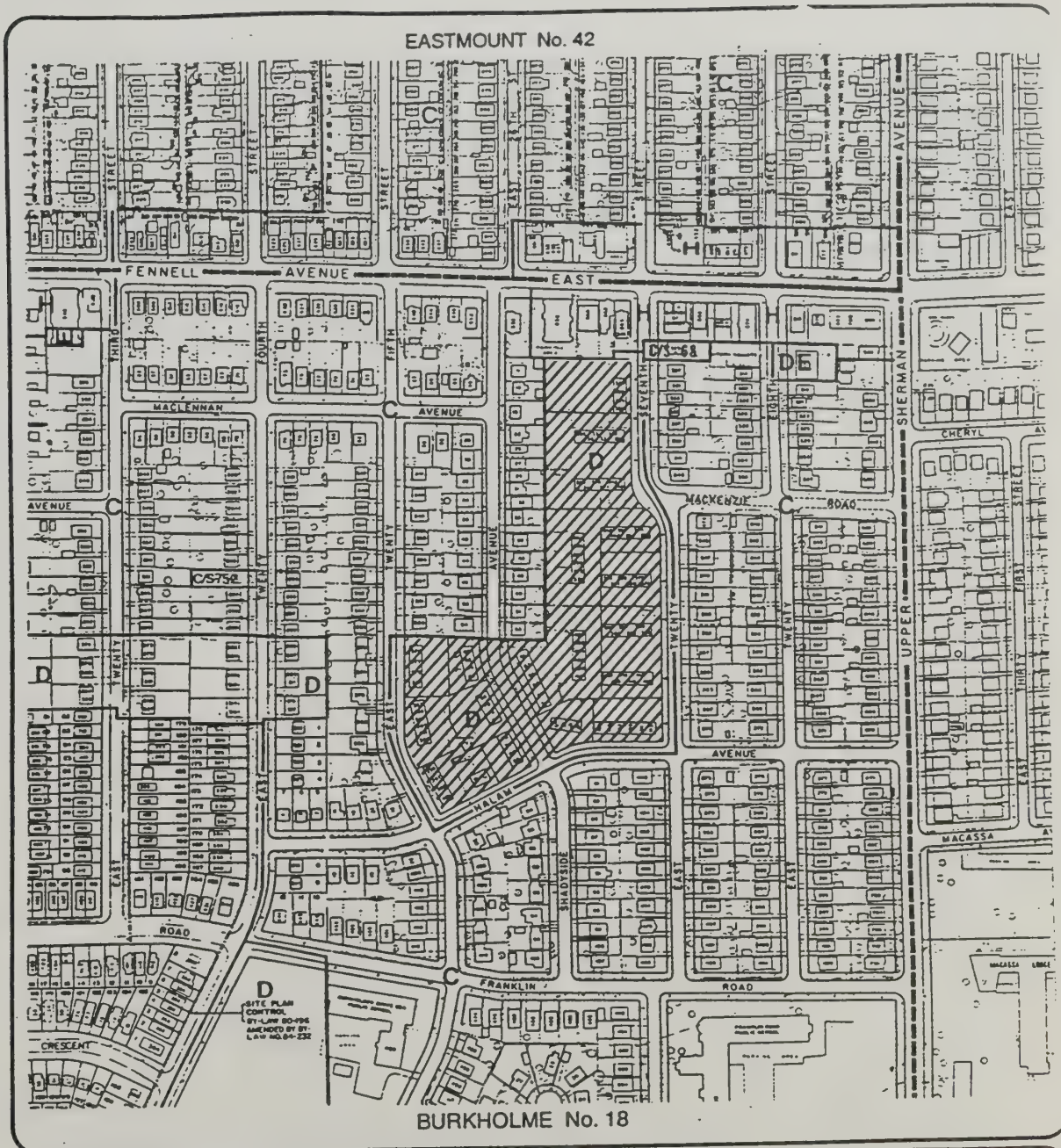
8. (a) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to Andrew Trencs, for improvements to 274 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
- (b) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

9.
 - (a) That a secured loan in the amount of fifteen thousand, four hundred and twenty-four dollars (\$15,424) to Peter and Gilberta Oliveira, for improvements to 355 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
 - (b) That a grant from the Barton Street Revitalization Fund in the amount of seven thousand, seven hundred and twelve dollars (\$7,712) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
10. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-16 A By-law to Amend Zoning By-law No. 6593 Respecting Rendering Plants.
 - (b) C-17 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-laws No. 83-217 and 89-276 Respecting Lands Located at Municipal Nos. 10 Herkimer Street and 9 and 11 Charlton Avenue West.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 March 19**



City of Hamilton

Plan Showing Lands Subject to
Site Plan Control
Application DA-94-32

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Site of the Application

North



Scale
Not to Scale

Date
DECEMBER 1994

Reference File No.

DA-94-32

Drawn By

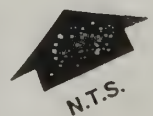
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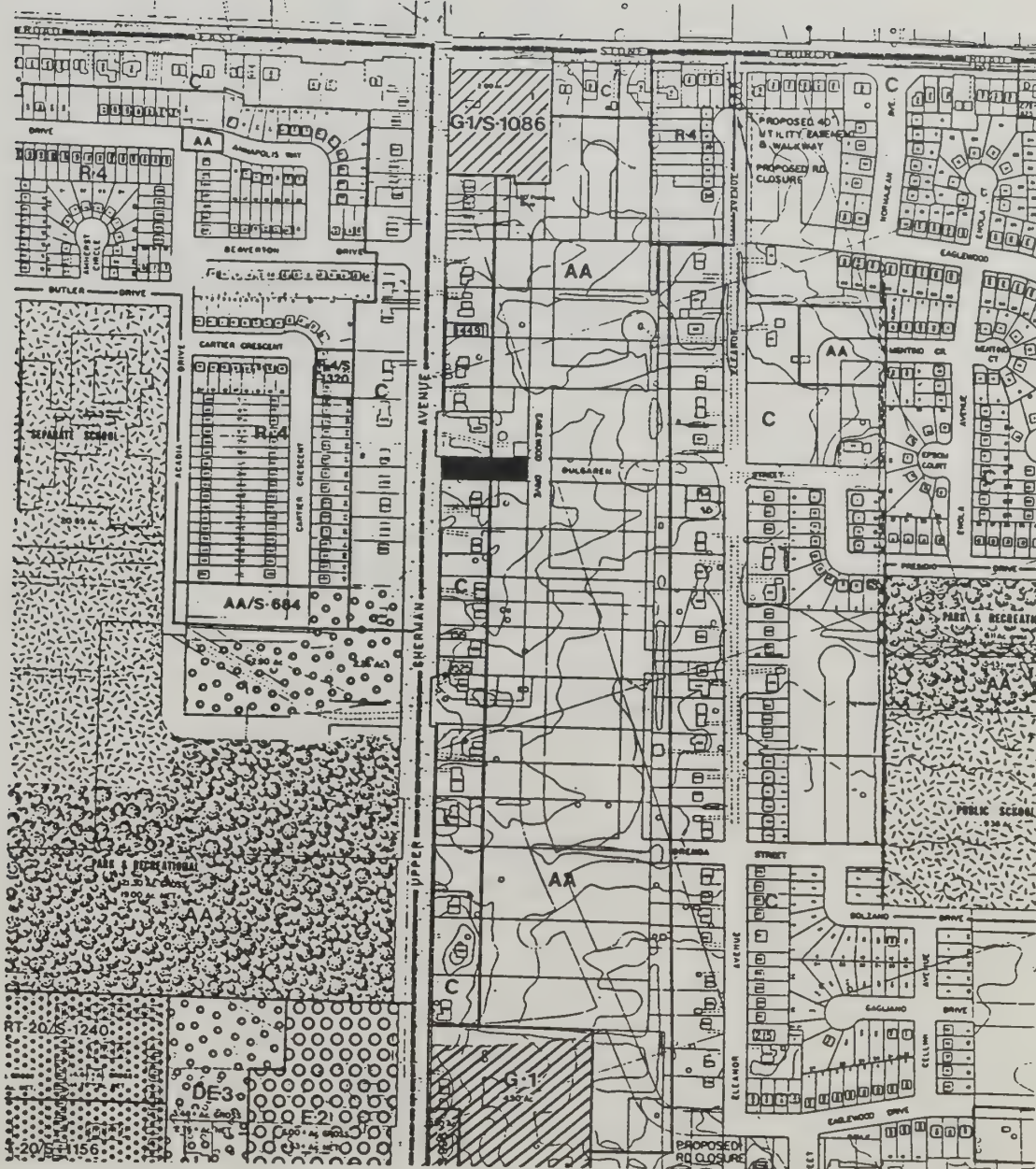


Legend



Location



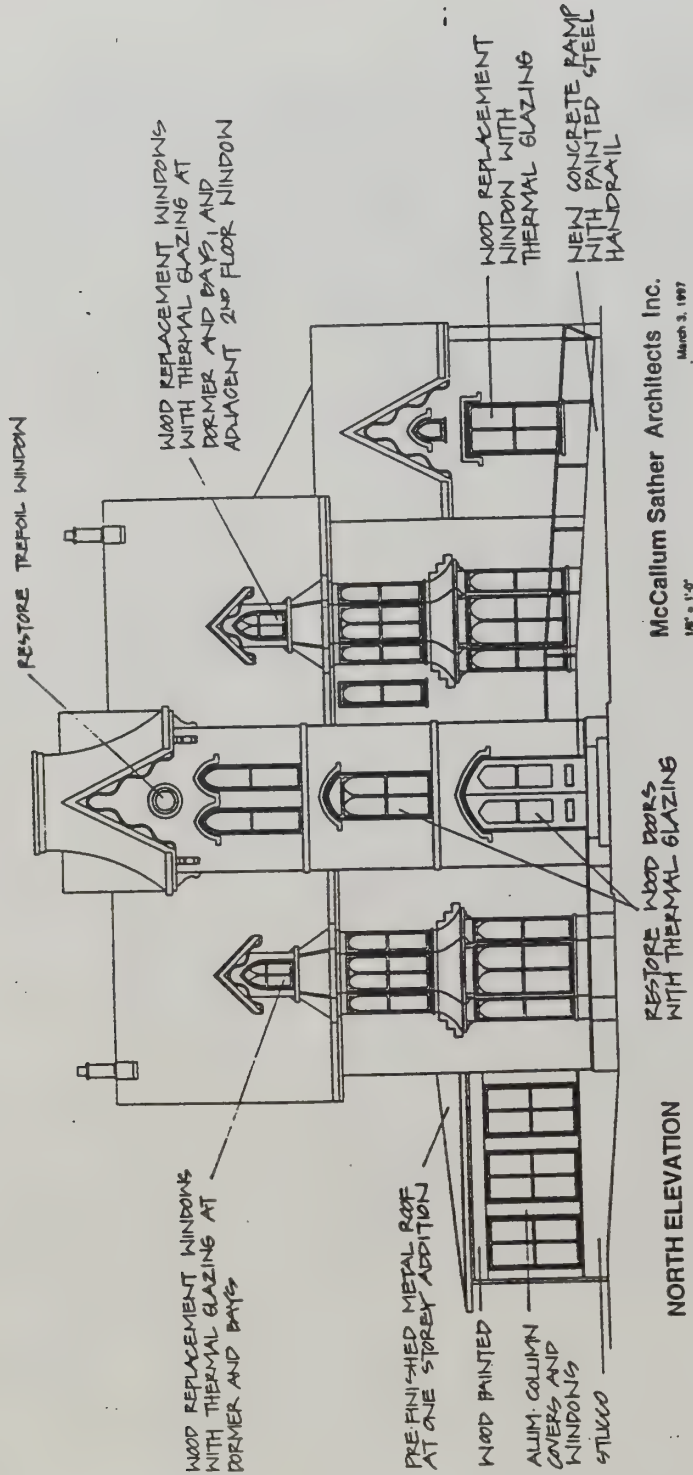


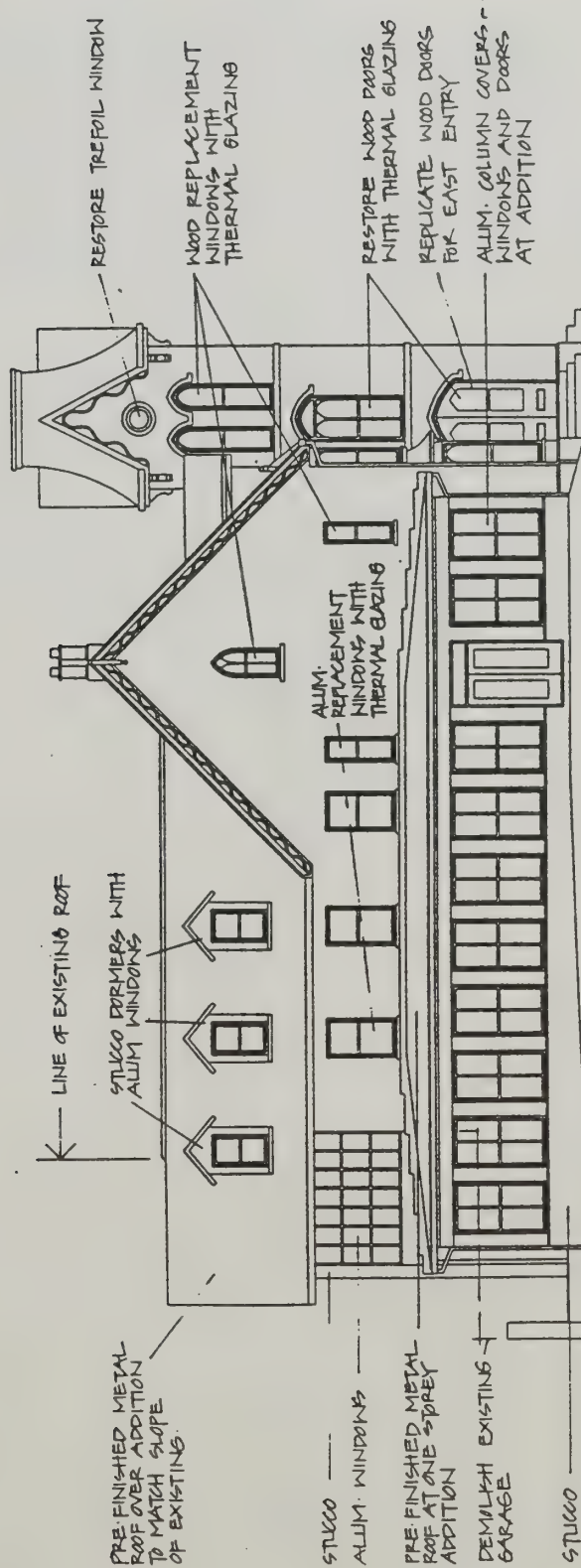
Legend



Portion of Dulgaren Street to be renamed

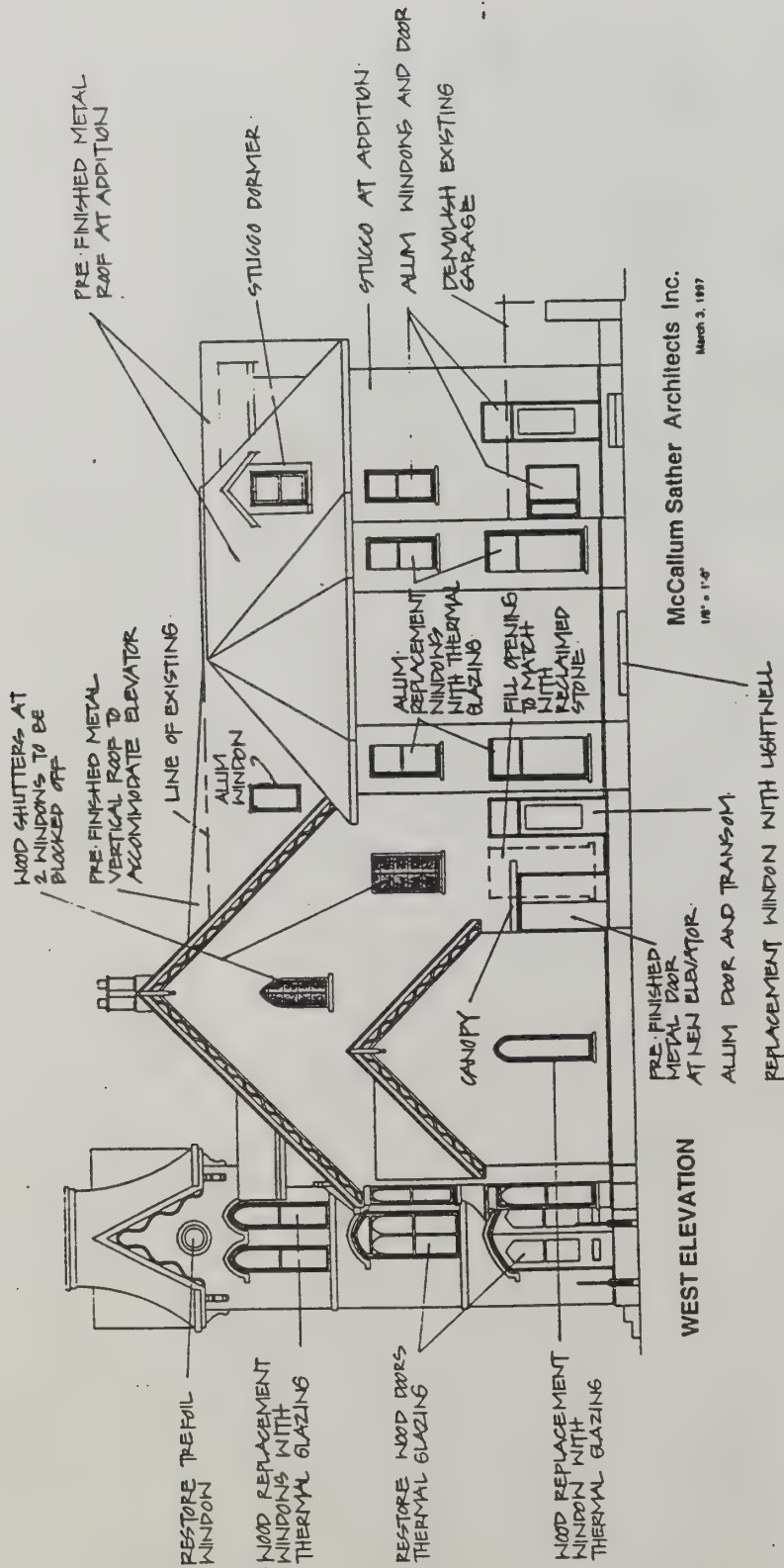






McCallum Sather Architects Inc.
1/8" = 1'-0"
March 3, 1997

EAST ELEVATION



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. That the current term of office of the City's appointee to the Hamilton Harbour Commission, Duncan Beattie, be extended until 1997 September 1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. - 13.

NAYS: Alderman Collins. -1.

CARRIED.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-13 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 February 4**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1997 and respectfully recommends:

1. (a) That a further gross amount of \$151,077., less adjustments of \$52,315.45 for a net amount of \$98,761.55, be advanced to Grey Cup 1996 Hamilton Inc. for payment of all outstanding debts incurred in conjunction with the hosting of the 1996 Grey Cup Game, and be charged to Account #CF 259555020; and,

(b) That no further advances be made by the City of Hamilton in respect of the 1996 Grey Cup Event.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, McCulloch, Wilson. -3.

CARRIED.

2. That the issue of the Region assuming fifty (50) percent of the losses for the Grey Cup Game, be referred to the Regional Finance Committee. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1997 March 25

Meeting of Committee of the Whole/City Council
Thursday, 1997 April 3
10:00 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

APR 8 1997

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger,
Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman M. Caplan - another commitment
Alderman D. Drury - civic business
Alderman H. Merling - civic business

COMMITMENT DOCUMENTS

Mayor Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Copps, Wilson, Eisenberger, Collins,
Charters, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FIFTH REPORT

Re: General Grant Recommendations
Parking Authority Current Budget
N.H.L. - Competition Bureau

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 2:45 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 3
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1997 and respectfully recommends:

1. (a) That the Parking Authority Current Budget be approved in the total amount of \$4,241,570 as outlined in Appendix "A" attached hereto, which includes the provision for the financing cost for capital and debt charges, and bridge financing cost due to the operation deficit, but do not include actual payment of debt charges.

 (b) That the City Treasurer be authorized to provide financing of the current and future year's negative balance of the Reserve for Off-Street Parking, Account Centre No. CH 00202, from the Reserve for Debt Charges, Account Centre No. CH 00108, and that the Parking Authority operating accounts be charged with the financing cost calculated at the rate used to earn interest income on reserves.

 (c) That the Parking Authority Capital Budget requirement be reduced from \$150,000 to \$100,000 in 1997 and to \$50,000 in 1998 through 2006 until the City loans are fully paid off and that the financing of these Capital projects be revised accordingly.
2. That the 1997 General Grant Recommendation as outlined in Appendix "B", Column 3, attached hereto, be approved in the total amount of \$233,130 and funded from within the Grants Centre CH 200XX;
3. (a) That the Chief Executive Officer be directed to proceed with the preparation of a brief to the Competition Bureau respecting the National Hockey League's territorial rights; and,

 (b) That the City's Legal Department be utilized for the purpose of preparing such a brief; and,

 (c) That alternate legal counsel be retained as required at an expense not to exceed \$15 000.

4. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-4 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 3

The Parking Authority of the City of Hamilton

1997 CURRENT BUDGET

Appendix "A" as referred to in Section 1 of the Fifth Report of the Committee of the Whole for 1997.

DESCRIPTION (1)	1996 ACTUAL (2)	1996 ESTIMATE (3)	1997 MAINTENANCE BUDGET (4)	SERVICE/ PROGRAM REDUCTION (5)	1997 ORIGINAL ESTIMATE (6)	COUNCIL/ COMMITTEE ADJUSTMENT INC/(DEC.) (7)	1997 RESULTANT APPROPRIATION (8)	INCREASE/(DECREASE) OVER 1996 ESTIMATE AMOUNT (9)	% (10)
TOTAL OPERATING REVENUES:									
ADMINISTRATION	168,327	172,000	172,000		172,000		172,000	0	0.0%
PERMANENT FACILITIES	1,752,984	2,057,970	2,041,480		2,041,480		2,041,480	(16,490)	-0.8%
URBAN RENEWAL LOT	34,272	40,090	40,090		40,090		40,090	0	0.0%
CONVENTION CENTRE	1,047,891	1,200,000	1,108,000		1,108,000		1,108,000	(92,000)	-7.7%
ON-STREET PARKING	915,775	975,000	945,000		945,000		945,000	(30,000)	-3.1%
TOTAL REVENUE	3,919,249	4,445,060	4,306,570	0	4,306,570	0	4,306,570	(138,490)	-3.1%
TOTAL OPERATING EXPENDITURES:									
ADMINISTRATION	930,277	910,180	905,770		905,770		905,770	(4,410)	-0.5%
PERMANENT FACILITIES	1,953,705	1,901,900	1,930,850		1,930,850		1,930,850	28,950	1.5%
URBAN RENEWAL LOT	18,830	17,970	18,240		18,240		18,240	270	1.5%
CONVENTION CENTRE	1,143,379	1,149,240	1,156,180		1,156,180		1,156,180	6,940	0.6%
ON-STREET PARKING	53,779	60,000	60,000		60,000		60,000	0	0.0%
SUB-TOTAL	4,099,970	4,039,290	4,071,040	0	4,071,040	0	4,071,040	31,750	0.8%
OPER SURPLUS BEFORE FINANCING COSTS	(180,721)	405,770	235,530		235,530		235,530	(170,240)	-0.4195
TOTAL FINANCING COSTS:									
CAPITAL FINANCING COST	28,995		29,000		29,000		29,000	29,000	
DEBT CHARGES FINANCING COST	55,495		136,730		136,730		136,730	136,730	
BRIDGE FINANCING COSTS	0		4,800		4,800		4,800	4,800	
SUB-TOTAL	84,490	0	170,530	0	170,530	0	170,530	170,530	
TOTAL OPERATING EXPENDITURES:									
	4,184,460	4,039,290	4,241,570	0	4,241,570	0	4,241,570	202,280	5.0%
NET INCOME/(DEFICIT):									
	(265,211)	405,770	65,000	0	65,000	0	65,000	(340,770)	-84.0%

NOTE: THE CITY OF HAMILTON PROVIDED A LOAN TO THE PARKING AUTHORITY TO FINANCE VICTORIA AVENUE LAND ACQUISITION AND DEBT CHARGES

1996 CITY OF HAMILTON LOAN \$1,395,611
1997 CITY OF HAMILTON LOAN \$2,449,965

11:57:26 AM

Appendix "B" as referred to in Section
2 of the Fifth Report of the Committee of the Whole
for 1997.

The Corporation of the City of Hamilton 1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
1	The Advertising & Sales Club of Hamilton – to help defray costs in connections with the Annual Distinguished Citizen of the Year Award	\$0	\$1,000	
2	Aqua Knights of Hamilton – to subsidize user fees for community center pool time	\$0	\$665	
3	Associazione Nazionale Combattenti E Reduci – to defray cost of events & annual operating costs	\$1,000	\$5,000	\$980
4	Ballet Youth Ensemble – to offset annual operating expenses and capital to get office equipment	\$10,000	\$25,000	\$6,000
5	Catholic Family Services of Hamilton–Wentworth – to enable Self Program (persons with disabilities) the opportunity to participate in summer activities	\$500 **Subj to F/S	\$500	\$500
6	Central City Children's Choir – to subsidize all costs of the choir, to avoid user fees or to pass on costs to members	\$1,500	\$10,000	
7	Comm. Skills Training for Children of Hamilton–Wentworth (S.T.A.R. of Hamilton–Wentworth) – to provide children with after school sports activities and provide Site Co–ordinators	Note 4	\$33,000	
8	Conqueror II Drum & Bugle Corps – offset annual operating expenses and assist with the purchase of drums, uniforms, guard equipment	\$6,000 Note 1	\$9,999	\$6,000
9	Cycle Hamilton – to offset the cost of annual racing series	\$4,000	\$7,500	\$5,000
10	Dictionary of Hamilton Biography – operating costs for producing Volume IV	\$0	\$12,000	
11	The Easter Seal Society, Central Western Region – to provide a 1997 Mark Break Program for physically disabled teenagers in Hamilton area	\$0	\$1,132	
12	Firestone Choral Festival – to defray costs of Firestone Choral Fest	Note 2	\$7,500	

The Corporation of the City of Hamilton

1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
13	Hamilton All Star Jazz Bands – offset annual operating costs	\$4,000	\$6,000	\$4,000
14	Hamilton Artists Inc. – offset annual operating expenses	\$7,000	\$9,000	\$7,000
15	Hamilton Association for Community Living – to hire staff person for pilot project	\$0	\$22,204	
16	Hamilton Camera Club – to purchase audio/video equipment	\$0	\$1,671	
17	Hamilton Cardinals Baseball – to assist with annual operating expenses	\$2,400	\$2,400	\$2,400
18	Hamilton Children's Choir – to assist with the operating expenses of the choir	\$700	\$1,500	\$700
19	Hamilton Concert Band – to assist with ongoing expenses of the band	\$3,000	\$3,000	\$3,000
20	Hamilton Cultural & Ethnic Mosaic Association – offset operating costs of festival	\$0	\$20,000	\$1,500 Unbudgeted
21	Hamilton District Baseball Association – to offset general operating expenses	\$4,000 **Subj to F/S	\$9,000	\$4,000
22	Hamilton & District Extend-a-Family – to buy a printer	Note 3	\$500	
23	Hamilton & District Labour Council – to help offset the costs of the annual Labour Day Parade and Picnic	\$1,000	\$1,000	\$1,000
24	The Hamilton District Science & Engineering Fair – to help offset the costs of the fair	\$0	\$6,000	
25	Hamilton Folk Arts Heritage Council – offset the operating expenses for "It's Your Festival" and "A Safari"	\$10,000 **Subj to F/S	\$40,000	\$8,800
26	Hamilton Gallery of Distinction – offset the costs for the annual Induction Dinner	\$5,000	\$5,000	\$5,000
27	Hamilton Golden Hawks Women's Hockey Club – to offset operating expenses for ice rental	\$0	\$3,500	

The Corporation of the City of Hamilton

1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
28	Hamilton Lacrosse Association – for the development of the field and girls program	\$5,000	\$40,000	\$5,000
29	Hamilton Minor Football Association – continue general activities – purchase and replacement of equipment to ensure safety	\$9,000	\$9,000	\$9,000
30	Hamilton Pontiacs Softball Team – to offset the costs of diamond rental	\$0	\$1,000	\$880
31	Hamilton Safety Council – to maintain the ongoing Safety Programs	\$19,000	\$24,000	\$19,000
32	Hamilton Sesquicentennial Quilt – costs in producing an instructional book	\$0	\$5,818	
33	Hamilton Theatre Inc. – to assist with annual operating expenses and \$5,000 one time request for 40th Anniversary Show	\$7,500	\$13,600	\$7,500
34	The Hamilton Visual Art Centre – offset operating expenses and acquire office equip.	\$1,000 **Subj to F/S	\$2,123	\$1,000
35	Hamilton–Wentworth FreeNet – offset operating exp. & acquire office equip.	\$0	\$20,000	
36	India Canada Society – to operate general activities	\$1,000	\$5,000	\$1,000
37	John Howard Soc. of Hamilton–Went. & District – to operate the R.I.S.E. Up Summer Program for inner city youth	Note 4	\$17,500	
38	The John Laing Singers – to offset annual operating expenses	\$3,000 **Subj to F/S	\$5,000	\$2,000
39	Junior Achievement of Hamilton–Wentworth – to offset operation expenses	\$5,000	\$7,500	\$5,000
40	Kiwanis Music Festival – to defray costs of annual festival	\$2,500	\$2,500	\$2,500
41	Leander Boat Club – to purchase equipment	\$0	\$5,500	
42	Linden Park Optimist Band – defray costs of new uniforms & upgrade equip.	\$500	\$1,500	

The Corporation of the City of Hamilton 1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
43	Luso-Canadian Cultural Council of Hamilton – to assist with costs of LUSOFEST	\$3,000	\$7,000	\$2,500
44	The MacNab Circle – towards the cost of bust of MacNab	\$0	\$3,000	
45	Mahatma Gandhi Peace Festival Committee – to assist with cost of Peace March	\$0	\$5,405	
46	The Mardi Gras Festival of Hamilton-Went. Inc. – to promote events	\$0	\$10,000	
47	McMaster University – to assist with establishing student bursary	\$0	\$150,000	
48	Mom's Camp – to buy watches to celebrate 5th anniversary	\$1,000	\$1,950	\$600
49	Mount Hamilton Youth Soccer Ltd. – to assist with ongoing operating expenses	\$1,000	\$5,000	
50	Music in the City – to offset the operating expenses for the Music in the City Concert Series	\$2,000 **Subj to F/S	\$10,000	\$2,000
51	Native Indian/Inuit Photographers' Association – to assist with ongoing operating expenses	\$4,750	\$10,000	\$4,750
52	91st Highlanders Athletic Association – to assist with cost of annual Indoor Games	\$40,000	\$50,000	\$42,250
53	North End Children's Centre Inc. – to develop Rainbow Festival	\$0	\$20,000	
54	Ontario Visually Impaired Golfers Corp. – to offset expenses for golf lessons and fees	\$2,000 **Subj to F/S	\$2,500	\$2,000
55	The Players' Guild of Hamilton Inc. – to assist with improving the technical capabilities of their productions	\$3,000	\$5,000	\$2,950
56	Poseidon Aquatic Water Polo Club – to offset general expenses	\$480 **Subj to F/S	\$1,000	\$480
57	Reach Forth Ministries – to purchase equipment	\$1,000	\$6,000	

The Corporation of the City of Hamilton 1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
58	Ridge Raiders Drum & Bugle Corps – to assist with annual costs and enable present programme to expand	\$6,000	\$12,000	\$6,000
59	Romantic Arts Festival of Hamilton – to offset expenses for the Festival	\$0	\$28,000	
60	Royal Hamilton Military Institute – to provide financial assistance in covering a portion of the fixed overhead costs	\$1,500	\$27,000	\$3,000
61	Saint Anthony's Feast – to help pay for expenses for the event	\$2,500	\$40,000	
62	Settlement and Integration Services Organization – to pay for expenses related to the community honouring event	\$0	\$4,565	
63	Steel City Oktoberfest Inc. – to conduct increased promotion of the event	\$0	\$10,000	
64	Steel City Sound – to conduct increased promotion of the event	\$0	\$10,000	
65	Symfonia Choir of Hamilton – to offset operating expenses	\$1,000	\$10,000	\$950
66	Symphony Hamilton – to offset operating expenses	\$6,000	\$18,475	\$6,000
67	Victory Christian Centre – to refurbish Youth Centre and buy equipment	\$0	\$5,000	
68	Volunteer Centre of Hamilton & District – to host the annual Volunteer Week activities	\$8,000	\$10,000	\$9,000
69	Wesley Urban Ministries Inc. – Kirkendall – Strathcona/ Wesley Centre – to provide recreational programs	\$25,000	\$50,000	\$23,750
70	The YWCA of Hamilton – offset operating exp. at Seniors' Centres		\$56,000	
SUB-TOTAL of Operating Grants		\$221,830	\$972,007	\$214,990

The Corporation of the City of Hamilton 1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
71	Hamilton Filipino Community Centre – <i>to be used in the restoration of the building</i>	Note 6	\$40,000	
72	Hamilton Victoria Curling Club – <i>offset cost of repairs & replacement of equip.</i>	Note 6	\$9,990	
73	H.O. Model Engineers Society, Inc. (H.O.M.E.S.) – <i>offset costs involved in relocating & lost rev.</i>	Note 6	\$9,000	
74	Lakeland Community Centre – <i>renovations to the building</i>	Note 6	\$100,000	
75	Shalom Villa – <i>to reimburse Shalom for development charges and to purchase stoves and fridges</i>	Note 6	\$14,920	
76	The YWCA of Hamilton – <i>to repair exterior brick veneer</i>	Note 6	\$60,000	
SUB–TOTAL of Capital Grants		<u>\$0</u>	<u>\$233,910</u>	<u>\$0</u>
SUB–TOTAL of Operating & Capital Grants		<u>\$221,830</u>	<u>\$1,205,917</u>	<u>\$214,990</u>

The Corporation of the City of Hamilton 1997 GENERAL GRANT SUBMISSIONS

Appendix F

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
77	Comunita Racalmutese Maria SS Del Monte — <i>offset operating expenses for annual special event</i>	\$5,000 **Subj to F/S	\$20,000	\$4,000
78	Concession Street B.I.A. — <i>to offset costs of Streetfest</i>	\$1,000	\$1,500	
79	Diverse Community Achievements (formerly Black Youth Achievements of Hamilton & Region Inc.) — <i>to continue to provide appropriate programs</i>	\$3,000	\$20,000	\$2,940
80	Greek Canadian Orthodox Church — <i>to offset expenses for events</i>	\$1,800	\$9,000	\$2,800
81	Societa Culturale Sant Antonio Di Castrofilipo — <i>to help promote Hamilton to contacts in Italy</i>	\$500	\$1,500	
82	St. John Ambulance — <i>to offset operating costs</i>	Note 4	??????	
	SUB—TOTAL of Late Grant Requests	\$11,300	\$52,000	\$9,740
	Total Requested Amount	\$233,130	\$1,257,917	\$224,730

BOLD INDICATES FIRST TIME APPLICANT

SHADING INDICATES LATE APPLICATION

Notes to the Appendix

- Note 1 Refer to Staff for a report on the organizations participants.
 Note 2 Refer to HECFI.
 Note 3 Refer to Staff to explore available equipment.
 Note 4 Refer to the Region.
 Note 5 Refer to Parks & Recreation Committee.
 Note 6 Capital Grant requests are tabled pending Capital Funds availability.

CAY ON HBL A05

M21

1997

1997 April 7

Minutes of Committee of the Whole\Hamilton City Council

Monday, 1997 April 7

5:00 o'clock p.m.

Room 233, City Hall

URBAN MUNICIPAL

APR 11 1997

The Council met:

Present: Mayor Morrow.

Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman D. Drury - civic business

GOVERNMENT DOCUMENTS

Mayor Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SIXTH REPORT

Local Government Restructuring

Recorded vote on Resolution.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 6:30 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 7
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1997 and respectfully recommends:

1. That the Minister of Municipal Affairs be advised that Hamilton City Council reconfirms its position on Local Government Restructuring as adopted on June 6, 1996, amended and reconfirmed on October 8, 1996 and further amended on April 7, 1997 to read as follows:
 - (a) amalgamated tax base
 - (b) representation by population - approximately 20,000 people per ward
 - (c) amalgamation of all area municipalities into the City of Hamilton
 - (d) eliminate the Region and devolve all staff and services into the City of Hamilton
 - (e) final implementation as soon as possible

While other positions have been taken by Hamilton City Council in a spirit of compromise, the above has always represented the preferred position of the City of Hamilton with respect to Local Government Restructuring in the Hamilton-Wentworth Region.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-05 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 7

1997 April 8

Minutes of Hamilton City Council
Tuesday, 1997 April 8
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

APR 11 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman D. Drury - civic business

Mayor Morrow called the meeting to order.

The National Anthem was played.

Reverend Dr. Francis Chisholm, Retired, led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held 1997 March 25 (regular meeting) and the special meeting held 1997 April 3 were adopted as circulated.

PRESENTATION

Mayor R. M. Morrow recognized Mr. Scott Howson, General Manager of the Hamilton Bulldogs Hockey Club.

CORRESPONDENCE

1. Letter dated 1997 April 2 from Valerie Smith, P.O. Box 24040, Bullfrog Mall Postal Station, Guelph, Ontario Re: Rock Group "Marilyn Manson" appearing at Copps Coliseum.

Referred to H.E.C.F.I.

2. Letter dated 1997 April 4 from R. Scott Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners re: Appointment of Mr. D. Beattie.

Referred to the Finance and Administration Committee

3. Letter dated 1997 April 8 from Konstantine Takis, 158-180 King Street West, Hamilton, Ontario Re: Casino Gaming By-law.

Received.

4. Letter dated 1997 April 4 from ASAP Holdings Ltd., Hamilton On., respecting the Casino Zoning.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee and the Finance and Administration Committee, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 1 (a) Re: City Initiative 96-G - Charity Gaming Club - Appendix "A"

It was moved by Alderman McCulloch and seconded by Alderman Ross that Section 1 (a) of the Sixth Report of the Planning and Development Committee be amended by expanding the boundaries in Appendix "A" to include the block bounded by King Street West, Caroline Street North, Market Street and Bay Street North.

CARRIED.

* * * * *

Section 1 Re: City Initiative 96-G - Charity Gaming Club

It was moved by Alderman D'Amico and seconded by Alderman Merling that Section 1 of the Sixth Report of the Planning and Development Committee for 1997 be amended by:

- (a) Adding the sentence "Furthermore, a video lottery terminal shall only be permitted in conjunction with a Charity Gaming Club." at the end of Sub-section (a) (ii) (1) (b); and,
- (b) Deleting sub-clause (b) in sub-sections (a) (iii), (a) (iv), (a) (v) and (a) (vi) and substituting the following in lieu thereof: "(b) no institutional or residential uses, except a hotel, are permitted within the same building unless functionally completely separate from the Charity Gaming Club".

CARRIED.

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Morelli, Collins, Charters, Jackson, Merling, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Eisenberger, Anderson.-5.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTH REPORT

Section 4 Re: Appointments to and Terminations from Permanent Positions

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 4 of the Seventh Report of the Finance and Administration Committee be referred back.

CARRIED.

RESOLUTION

Re: Rule No. 9 Road Closure of Rosslyn Avenue South

It was moved by Alderman Merling seconded by Alderman Morelli that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the proposed road closure of Rosslyn Avenue South from King Street East to Main Street East.

CARRIED.

* * * * *

Resolution respecting Rosslyn Avenue South

It was moved by Alderman Merling and seconded by Alderman Morelli

That the stopping-up, closing and sale of Rosslyn Avenue South from King Street East to Main Street East be approved, subject to the following conditions:

- (a) That the Commissioner of Transportation Department be directed to prepare a By-law to stop up, close and sell the road allowance of Rosslyn Avenue South from King Street East to Main Street East; and,
- (b) That the Commissioner of Transportation Department be directed to prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowance is to be sold; and,
- (c) That the Senior Director, Roads Department be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act R.S.O.; and,

- (d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980; and,
- (e) That the applicant provide a 6m easement to the Region for the existing 300mm combined sewer in the proposed closure area; and,
- (f) That the applicant provide an easement to Hamilton Hydro for their overhead plant on the closure area.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Planning and Development Committee, the Finance and Administration Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

City Council then adjourned at 8:40 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 8
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative 96-G, for a general text amendment to Zoning By-law No. 6593 to define "charity gaming club", "table games" and "video lottery terminal (VLT)" and to permit a charity gaming club and video lottery terminal within the downtown area, as shown on Appendix "A" attached hereto, on the following basis:
 - (i) That a new Schedule "M" be added to Zoning By-law No 6593 as follows:

"Schedule M - Location of Charity Gaming Clubs"
 - (ii) That Section 2.(2)D. be amended by adding the following new definition:
 - (1) "(ibb) **"Charity Gaming Club"** shall mean any premises or parts thereof, containing table games and/or video lottery terminals.

For the purpose of this subclause;

- (a) **"Table Games"** shall mean games played at a Charity Gaming Club and shall include blackjack, baccarat, roulette, poker and any other such games approved by the Gaming Control Commission; and
- (b) **"Video Lottery Terminal"** shall mean a machine or device that allows a person to play a lottery scheme upon payment of money where that play may result in the receipt of a credit that can be redeemed for further play or money, and Furthermore, a video lottery terminal shall only be permitted in conjunction with a Charity Gaming Club."

AMENDED.

- (iii) That Section 14 of Zoning By-law No. 6593 be amended by adding the following subclauses:

"14.(1)(xviib) charity gaming club provided:

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building unless functionally completely separate from the Charity Gaming Club. **REPLACED.**

- (iv) That Section 15 of Zoning By-law No. 6593 be amended by adding the following subclause:

"15.(1)(xiva) charity gaming club provided:

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building unless functionally completely separate from the Charity Gaming Club. **REPLACED.**

- (v) That Section 15A of Zoning By-law No. 6593 be amended by adding the following subclause:

"15A.(1)(xxiiia) charity gaming club provided:

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building unless functionally completely separate from the Charity Gaming Club. **REPLACED.**

- (vi) That Section 15B of Zoning By-law No. 6593 be amended by adding the following subclause:

"15B.(3)(b)(21) charity gaming club provided;

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building unless functionally completely separate from the Charity Gaming Club. **REPLACED.**

(vii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(viii) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

(b) That City Council request Regional Council to consider a similar initiative to restrict Charity Gaming Clubs to the "Regional Centre".

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Morelli, Collins, Charters, Jackson, Merling, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Eisenberger, Anderson.-5. **CARRIED.**

2. (a) That the Region be authorized to act as the City of Hamilton's agent by providing construction and contract administration services for the construction of the Barton Street Streetscaping Project between East Avenue and Leeming Street; and,

(b) That a purchase order be issued to the Region in the amount of \$290,000. to cover the estimated cost of providing services; and,

(c) That \$280,000. of the costs associated with these works be charged to Account Number CH 24107 00001 (a holding account) and, \$10,000. be charged to Account Number CF 5204 428705008 (the Commercial Improvement Program).

3. (a) That the City of Hamilton, pursuant to its mandate of Community Improvement and Renewal under the Planning Act, implement the heritage funding program known as the "Gore 2000" Program, as generally outlined in Appendix "B" attached hereto, to provide matching grants to owners of buildings for facade restoration; improvement of storefront design and commercial signage; and installation of canopies, based on the Gore Heritage Design Study; and,

- (b) That these matching grants be made available for buildings located within the Gore Heritage Area, King St. East from James to Catharine Streets, identified in Appendix "C" attached hereto.
- 4. That the Manager of Accounting and Purchasing be authorized and directed to issue an Open Order to Brantford Landscaping & Sodding Ltd., on behalf of the Treasury and Building Departments, based on prices received for Quotation C19-2-97, to provide final lot grading and sodding as and when required during 1997 in various subdivisions, being the lowest of six quotations received in accordance with specifications issued by the Manager of Accounting and Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090.
- 5.
 - (a) That under the Commercial Improvement Program, luminaires be affixed to building faces abutting alleyways within the Ottawa Street B.I.A., to increase security of the alleyways; and,
 - (b) That the City Solicitor be authorized to prepare the necessary legal agreements to attach and maintain the lighting fixtures to private property; and,
 - (c) That the Mayor and City Clerk be authorized to execute the agreements referenced in Sub-section (b).
- 6. That approval be given to the request by Alpha Development Service Inc., owner of the lands at 52-62 Victoria Avenue South, as shown on Appendix "D" attached hereto, for an extension to the approval of Site Plan Control Application DA-93-18 to April 8, 1998, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.
- 7.
 - (a) That the request by John Parente, Solicitor for 822827 Ontario Inc., owner, to remove part-lot control be approved to establish maintenance easements for Lots 1 - 19, inclusive, Registered Plan No. 62M-795, as shown on Appendices "E" and "F" attached hereto; and,
 - (b) That the appropriate By-law, to remove part lot control from Lots 1 to 19 inclusive, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2" plan of subdivision, effective until 1998 May 1, be enacted by Council; and,

- (c) That following enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.
- 8. That the City of Hamilton accept the sum of \$24,300 as a cash payment in lieu of the 5% land dedication in connection with "Wellington Chase - Phase 5", Hamilton, being the cash payment required under Section 51.1 of the Planning Act.
- 9.
 - (a) That the City of Hamilton confirm that it claims no interest in a parcel of land known as 1198-1208 Stone Church Road East, Hamilton (pursuant to construction covenants to the City as contained in Instrument No. 411888CD) by quit claiming this land to the current owner; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 10.
 - (a) That the budget payment schedule for the 1997 Barton Street murals, as outlined in Appendix "G" attached hereto, be approved for the Visual Arts component of the Barton Street Revitalization Program; and,
 - (b) That the City Treasurer be authorized and directed to forward \$20,000 for the Visual Arts component (murals) to the Barton Street B.I.A..
- 11. That the total outstanding Commercial Property Improvement Loan Program for Pasquale DiDonato, 255 - 265 James Street North, in the amount of ten thousand, one hundred and thirty-two dollars and forty cents (\$10,132.40) be placed on the tax rolls.
- 12. That the total outstanding Heritage Loan for Pasquale DiDonato, 255 - 265 James Street North, Hamilton, in the amount of three thousand, six hundred and sixty-four dollars and fifty cents (\$3,664.50) be placed on the tax rolls.
- 13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-18 A By-law to Amend By-law No. 87-308 as Amended by By-law Nos. 92-079 and 97-012 Respecting Members of the Board of Management of the Barton General Business Improvement Area.

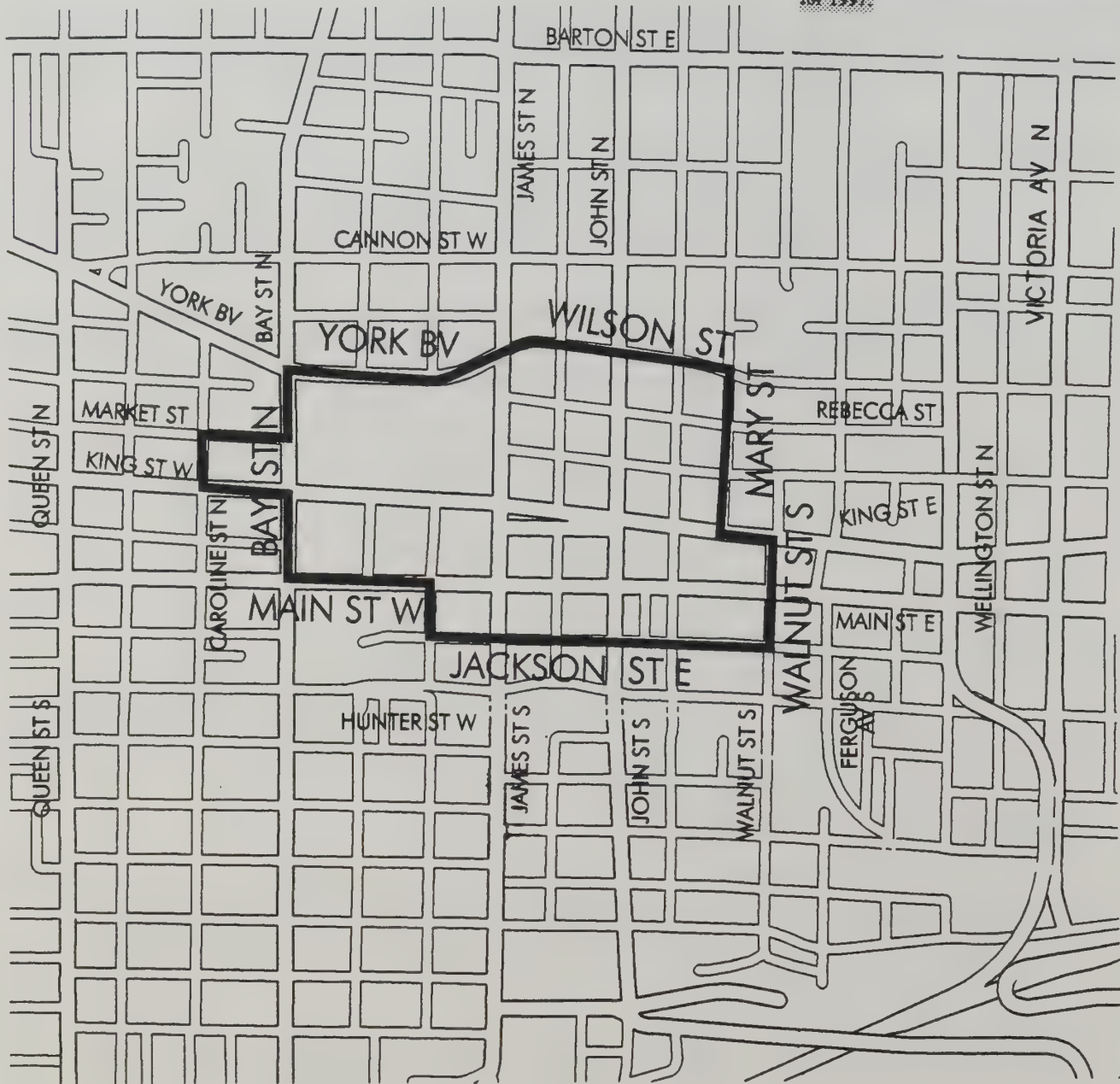
- (b) C-19 A By-law to Adopt Official Plan Amendment No. 137 Respecting Lands Located North of Burlington Street East and South of the Hamilton Harbour Within Industrial Sector Neighbourhoods "K", "L", "M" and "N".
- (c) C-20 A By-law to Amend Zoning By-law No. 6593 as Amended by By-law No. 96-170 Respecting Lands Located West of West Fifth Street, South of the Proposed Mountain Freeway and North of Chester Street.
- (d) C-21 A By-law to Amend By-law No. 86-73 as Amended by By-law Nos. 92-058 and 97-011 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.
- (e) C-22 A By-law to Remove Land Within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62M-795 from Part Lot Control.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Kevin Christenson, Acting Secretary
1997 April 2**

Revised Appendix "A" as referred to in Section 1(a) of the SIXTH Report of the Planning and Development Committee for 1997.

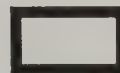


City of Hamilton

Appendix "A"

Planning and Development Department

Legend



LOCATION OF CHARITY GAMING CLUBS
(Refer to specific districts in Zoning By-Law)

North



Scale

NOT TO SCALE

Date

April 1997

Reference File No.

C196-G

Drawn By

W. B.

PART A: **RESTORE THE BUILDING FACADES**

Purpose: To transform the public image of the Gore from an ailing inner core into a vibrant, renewed heart of the city through the restoration of its rich and genuinely historic architectural streetscape.

Eligible Work: Restoration of the historic facades includes repointing of masonry, repair or replication of the original cornice, windows, and decorative features such as window lintels, finials, cresting, etc., as well as the removal of unauthentic building facing, in accordance with the basic principles of heritage conservation and building improvement established in the Gore Heritage Design Study, approved by Council and "Guidelines for Heritage Conservation in the Gore".

Improvement to Storefront Design includes restoring large display windows, repairs to baseboards, transom windows, original columns and entrances, secondary doors, in accordance with the basic principles identified in the Gore Heritage Design Study, as well as improvement to the commercial signage and installation of canopies, which follows.

PART B: **IMPROVE THE QUALITY OF THE COMMERCIAL SIGNAGE**

Purpose: To rediscover the inherent quality of the Gore by replacing the over-sized and excessive signage with ones which are clear, attractive, consistent and which together create an exciting downtown core.

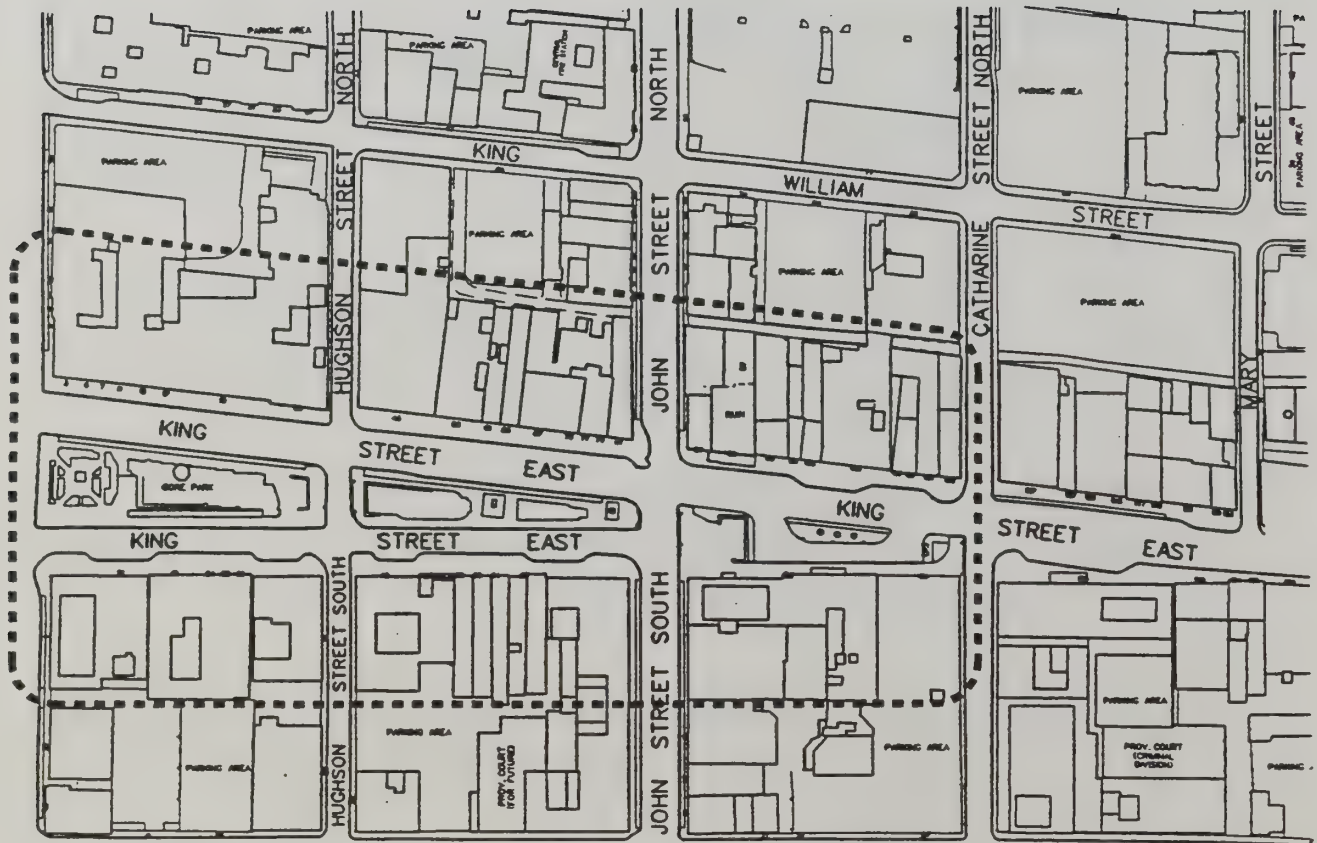
Eligible Work: Included in this category are the design, production and installation of commercial signage which is in accordance with the principles of good signage found in the Gore Heritage Design Study and the Signage Guidelines for the Gore. Design of the signage should fit with the character of the host building.

PART C: **ENHANCE THE PEDESTRIAN AMENITIES THROUGH THE USE OF AWNINGS/CANOPIES**

Purpose: To provide protection for pedestrians against rain, snow and excessive sun; and to introduce a dynamic design feature at the ground level which would create a visually lively and unifying enhancement of the public space.

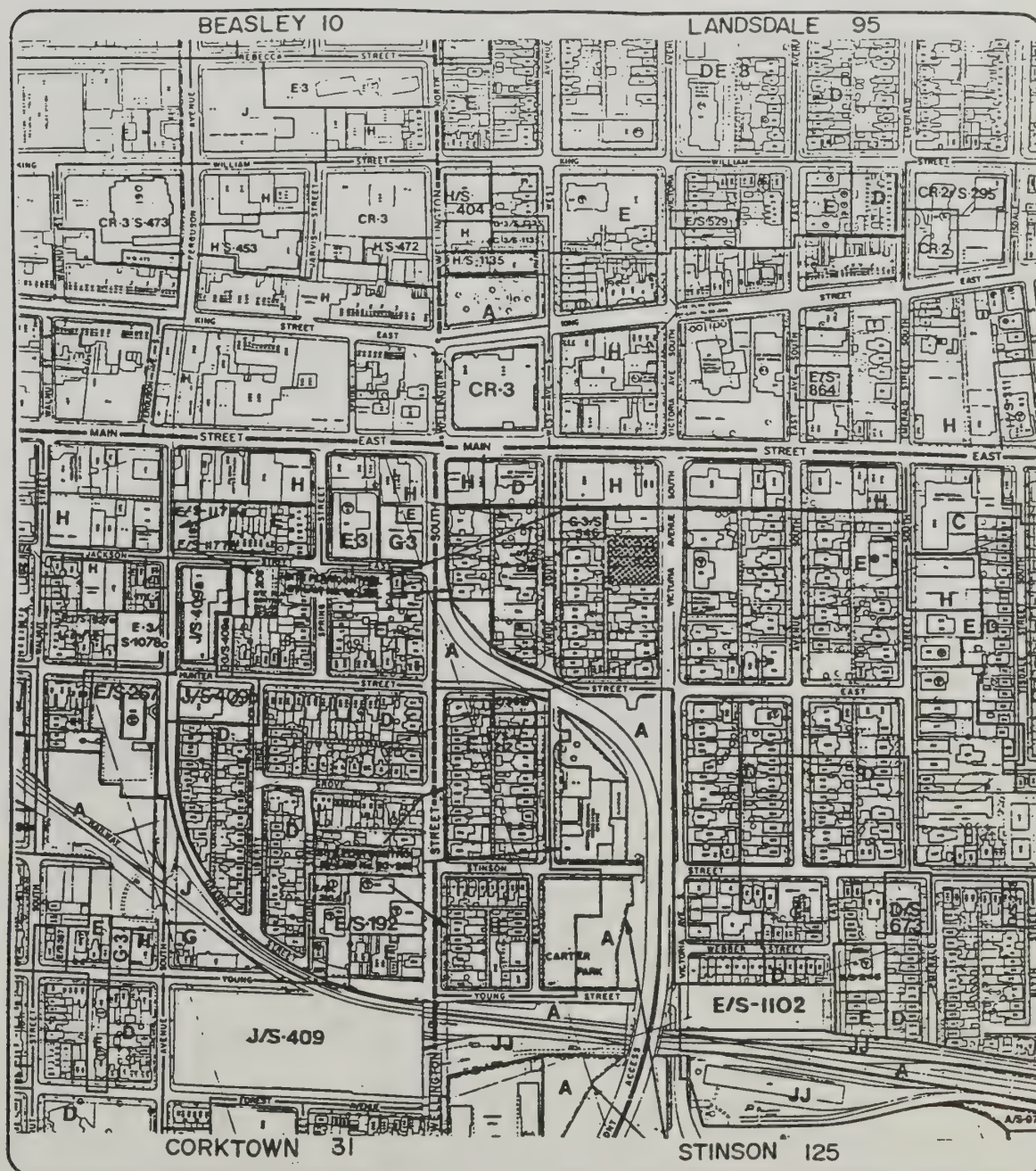
Eligible Work: Included as eligible costs are the design, production and installation of canopies, in accordance with the established guidelines and any by-law requirements which determine a minimum height, a standard width of projection and traditional location on the front facade.

GORE 2000 PROGRAM



GORE HERITAGE AREA

King Street East from James Street to Catharine Street



City of Hamilton

Plan Showing
Lands Subject to

Site Plan Control
Application DA-93-18

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Site of the Application

North



Scale
1:5000

Date
JULY 6, 1993

Reference File No.
DA - 93 - 18

Drawn By
P. W.

M-195
25T-910148

SEDONA COURT

PLAN 62M-1125
I CERTIFY THAT THIS PLAN 62M-1125
IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF WENTWORTH (82)
AT 11:48 O'CLOCK ON THE 17TH DAY OF
OCTOBER 1996 AND ENTERED IN
THE REGISTER FOR PROPERTY IDENTIFIER NO.
62M-0167 16206-0168
AND REQUIRED CONSENTS AND AFFIDAVITS ARE
REGISTERED AS PLAN DOCUMENT NO. 275-1335

THIS PLAN COMPLETES PLAN 18001-0164
SUBJECT TO EXISTING AS SET OUT IN PLAN 18001-0164

Allison Estates
Phase 1, Stage 2
BEING A SUBDIVISION OF
LOT 33 AND BLOCK 34
REGISTERED PLAN 62M-778
IN THE GEOGRAPHIC
TOWNSHIP OF GLANFORD
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1:500

MACKAY, MACKAY & PETERS LIMITED
1996

Surveyor's Bookends

I CERTIFY THAT:
1. THE LOTS AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE REGULATIONS AND THE LOTS AND PLAN ARE
2. THE LOTS ARE CORRECTED ON THE 15th DAY OF
DATE

SEPTEMBER 11, 1996
DATE

Surveyor's Bookends
THIS IS TO CERTIFY THAT
1. LOTS 1 TO 19, BOTH INCLUSIVE, THE STREETS WENTWORTH, 19th
BLOCK 28 & 31, AND 330 STREETS WENTWORTH, 19th
BLOCK 28 & 31, ARE IN ACCORDANCE WITH THE REGULATIONS
AND THE LOTS AND PLAN ARE CORRECTED ON THE 15th DAY OF
DATE

SEPTEMBER 11, 1996
DATE

Surveyor's Bookends
THIS IS TO CERTIFY THAT
1. LOTS 1 TO 19, BOTH INCLUSIVE, THE STREETS WENTWORTH, 19th
BLOCK 28 & 31, AND 330 STREETS WENTWORTH, 19th
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AND THE LOTS AND PLAN ARE CORRECTED ON THE 15th DAY OF
DATE

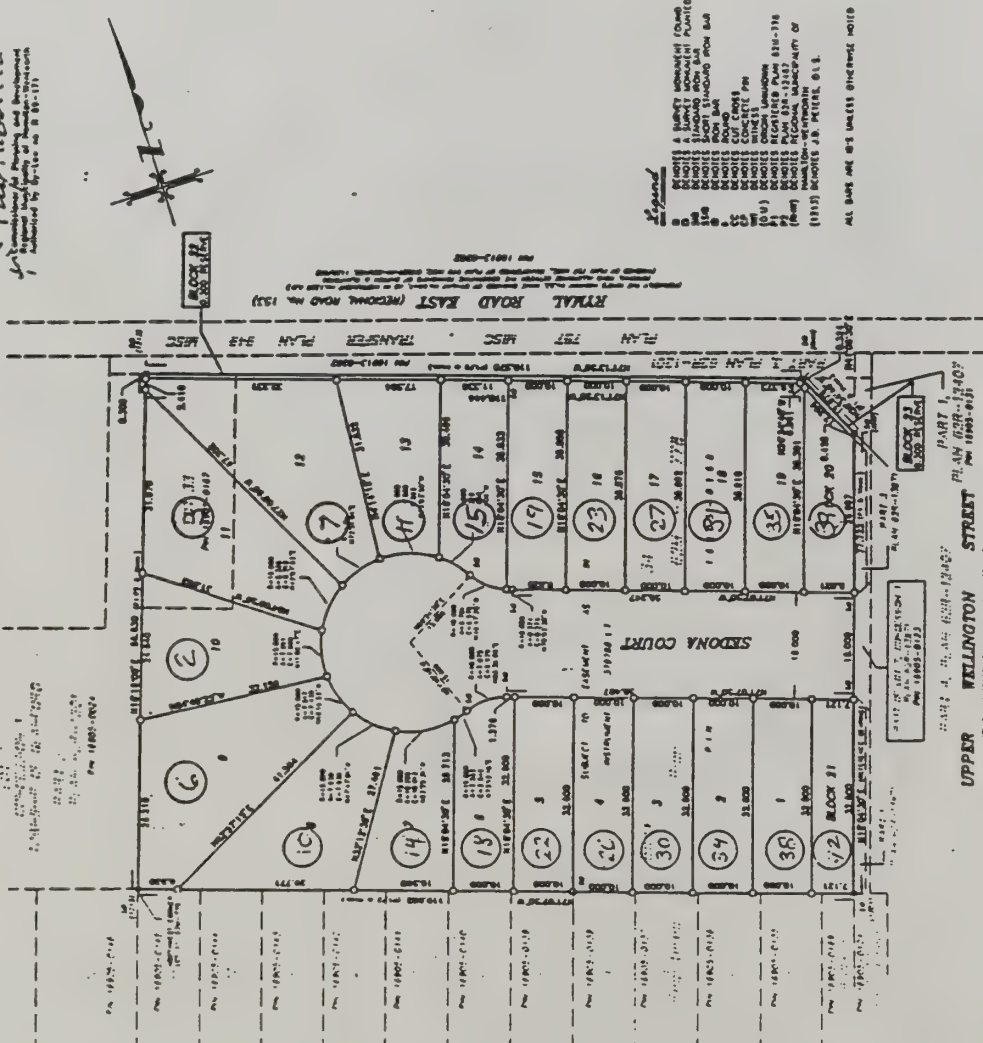
SEPTEMBER 11, 1996
DATE

Surveyor's Bookends
THIS IS TO CERTIFY THAT
1. LOTS 1 TO 19, BOTH INCLUSIVE, THE STREETS WENTWORTH, 19th
BLOCK 28 & 31, AND 330 STREETS WENTWORTH, 19th
BLOCK 28 & 31, ARE IN ACCORDANCE WITH THE REGULATIONS
AND THE LOTS AND PLAN ARE CORRECTED ON THE 15th DAY OF
DATE

SEPTEMBER 11, 1996
DATE

APPROVED UNDER SECTION 36 OF THE PLANNING ACT
BY THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
ON THE 17th DAY OF SEPTEMBER, 1996

Surveyor's Bookends
I CERTIFY THAT THIS PLAN 62M-1125
IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF WENTWORTH (82)
AT 11:48 O'CLOCK ON THE 17TH DAY OF
OCTOBER 1996 AND ENTERED IN
THE REGISTER FOR PROPERTY IDENTIFIER NO.
62M-0167 16206-0168
AND REQUIRED CONSENTS AND AFFIDAVITS ARE
REGISTERED AS PLAN DOCUMENT NO. 275-1335



Legend
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BLOCK 28 & 31, ARE IN ACCORDANCE WITH THE REGULATIONS
AND THE LOTS AND PLAN ARE CORRECTED ON THE 15th DAY OF
DATE

SEPTEMBER 11, 1996
DATE



SCHEDULE "A"

Payment Schedule for 1997 Barton Street Murals

Below is a schedule of payment to Fiona Kinsella, Robin Kavanagh, and Tor Lukasik-Foss for the design, production and installation of two to three murals, to be erected on Barton Street before September 1, 1997.

DESIGN

1997 April 15

(to be issued via 3 cheques of \$1000, payable to each of the aforementioned artists)

\$3,000

RENDERING

1997 June 15

(to be issued via 3 cheques of \$2000, payable to each of the aforementioned artists)

\$6,000

INSTALLATION

1997 August 15 or completion date of the project

(to be issued via 3 cheques of \$2,000, payable to each of the aforementioned artists)

\$6,000

MATERIALS

1997 March 1 - September 1

(this money will be assessed throughout the project, and will be given out in the form of purchase orders as requisitioned through the Barton General Business Improvement Area Association)

\$5,000

TOTAL

\$20,000

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1997 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division) Action # 2147/93 by the payment to the Plaintiff, Agnes Pavic, of the sum of \$6,440.43 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff, Agnes Pavic, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 2147/93 be dismissed without costs.
2. That the City accept the defendant's offer of \$500 to settle the business tax claim against Dean Maddeaux t/a Steam Doggies.
3.
 - (a) That the City consent to the assignment of the gas purchase contracted between Westcoast Gas Services Inc. and the City to Engage Energy Canada, L. P.; and,
 - (b) That the Mayor and the City Clerk be authorized to execute the Assignment document.
4. That the listing of Appointments to and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1997 March 21, attached herewith and marked Appendix "A", be approved. **REFERRED BACK.**

5. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

21 Head Street	625 Greenhill Avenue
221 Barton Street	14 Walnut Street North
540 Upper James Street	19 Rawlings Avenue
726 Main Street East	667 King Street East
73 Garfield Avenue South	1063 Barton Street East
647 King Street East	1632 Upper James Street
468 Cumberland Avenue	618 Parkdale Avenue North
321 King Street East	1837 Main Street West
320 King Street East	315 King Street East
216 Dundurn Street South	

- (b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
6. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$23,001.42 be approved and charged to Account No. CH55307-24104 Tax Remissions.
7. (a) That the City Treasurer be authorized to provide 1997 Current Budget appropriation under a separate Centre as Municipal Trunked Radio Project (Financial Section) in the total amount of \$340,420 for the following departments by correspondingly reducing the provision for debt charges in 1997:

Fire Department	\$260,400
Public Works and Traffic Department - Traffic	18,980
Public Works and Traffic Department - Streets	58,630
Clerk's	<u>2,410</u>
	<u>\$340,420</u>

- (b) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board to reallocate the excess debenture proceeds of \$2,000,000 from Public Safety Trunking Radio, Account Centre No. CF 489151023 (O.M.B. No. E910209 dated June 21, 1991 and City By-Law No. 91-105 for \$2,500,000), to 1995 Roads and Sidewalk Reconstruction Program - Local Roads - Phase I, Account Centre No. CF 529542001 (City By-Law Nos. 95-090 and 95-216); and,
- (c) That the balance of the debenture authority in the amount of \$500,000 be cancelled and that the actual expenditures of \$130,230 and \$130,000 for the July to December 1996 Lease and Administration and Operations costs of the Municipal Trunked Radio Project to an estimated total of \$260,230, Account Centre No. CF 489151023 for the above account be financed by the Reserve for Debt Charges Account Centre No. CH 00108; and,
- (d) That the City Treasurer be authorized to continue to pay to the Regional Municipality of Hamilton-Wentworth in relation to a sale/lease back agreement on behalf of the City of Hamilton for the annual lease cost of Municipal Trunked Radio Project; and,
- (e) That the provision for the additional cost of the Municipal Public Safety Trunking Radio System in 1999 for \$420,000 (Project No. 55.0) be deleted from the plan of 1997-2006 Capital Budget Programme; and,
- (f) That the appropriate Department/Division be directed to absorb from their overall budget the shortfall of the annual lease cost of their administration and operations budget, noted below, in relation to their Radio Trunking System:

Fire	\$33,672.24
Traffic	3,880.35
Public Works	2,148.25
Clerk's	<u>1,055.29</u>
	<u>\$40,756.13</u>

- (g) That staff be authorized to participate in the Municipal Trunked Radio Project Steering Committee (a joint Committee of four, Regional Users, City of Hamilton Users, Other Area Municipality Users and the Regional Chief Administrative Officer's office).

8. That the City accept with thanks the donation from Hamilton Sesquicentennial Celebrations Inc. of an engraved stone tablet and plaque commemorating the City's year long sesquicentennial celebration which took place during 1996 and that the donation be displayed on an inside marble pillar on the first floor east side of City Hall at the pleasure of Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".
9.
 - (a) That approval be given to issue a purchase order in the amount of \$159,344 inclusive of GST (\$9,699.20) to Trane Canada Company for the supply, delivery and commissioning of a 500 ton, non-CFC centrifugal chiller for Hamilton City Hall, this being the lowest acceptable tender received in accordance with the specifications (Ref: C15-3-97) issued by the Purchasing Division; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor; and,
 - (c) That this project be funded through the Canada/Ontario Infrastructure Works Program, Account CF 809453012 City Hall - Replacement of Existing Chillers.
10.
 - (a) That a purchase order be issued to Eastgate Ford Sales, Hamilton, Ontario, in an amount not to exceed \$83,256.55 including all applicable taxes, for the supply and delivery of three (3) 4 Cylinder, 4 Door Sedans, Ford Escorts, and one (1) full size Cargo Van Style Body Truck, Ford Econoline, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications; and,
 - (b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle/Apparatus Replacement.
11.
 - (a) That a purchase order be issued to Hamilton Motor Products, Hamilton, Ontario, in an amount not to exceed \$108,969.87 including all applicable taxes, for the supply and delivery of three (3) Commercial type dual purpose vehicles, G.M.C. Suburbans, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications; and,
 - (b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle/Apparatus Replacement.

12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-14 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-15 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 April 1**

Appendix "A" referred
to in Section 4 of the
SEVENTH Report of
the Finance and
Administration
Committee for 1997

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Arthur Thomas	I	Lieutenant	Fire	Replacing Mr. A. Tapp — transferred, Aug. 14/95	\$57,934.32	Dec. 01/96

Prepared March 21, 1997

Status —

Internal — I
External — E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Josie D'Allessandro	Administrative Assistant II	Public Works & Traffic Services	Terminated	13 years, 4 months	Feb. 21/97
Ms. Linda Persichini	Box Office Supervisor	H.E.C.F.I.	Deceased	8 years, 4 months	Feb. 14/97

Prepared March 21, 1997

Glossary of Terms

Terminated – long term disability
 – discharge
 – downsizing
 – redundant

Resigned – personal betterment
 – personal reasons

URBAN/MUNICIPAL
CAY ON HBL A05
M21
1997

1997 April 29

Minutes of Committee of the Whole\Hamilton City Council
Tuesday, 1997 April 29
6:50 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAY 12 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman G. Copps - vacation

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson,
Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SEVENTH REPORT

City/Region joint allocation - Hamilton-Halton Home Builders' Assoc.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson,
Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:00 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 29
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SEVENTH** Report for 1997 and respectfully recommends:

1. (a) That the \$8 000 joint allocation between the City of Hamilton and the Region of Hamilton-Wentworth for completion of Phase I respecting the preliminary concept proposal by the Hamilton-Halton Home Builders' Association (HHHBA) be approved.
- (b) That the document "Downtown Revitalization Phase II" (co-ordination phase), be approved
- (c) That a separate account centre be established under the auspices of the Interim Downtown Co-ordinator to facilitate and monitor expenditures and progress of the development.
- (d) That the HHHBA prepare a quarterly report to the Planning and Development and Economic Development and Planning Committees of the City of Hamilton and the Region of Hamilton-Wentworth respectively.
- (e) That the legal agreement between the City of Hamilton and the Region of Hamilton-Wentworth and the Hamilton-Halton Home Builders' Association be approved and be in a form satisfactory to the Commissioners of Legal Services for the Region and the City of Hamilton.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law.

E-06: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 29

Minutes of Hamilton City Council
Tuesday, 1997 April 29
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Aldermen: Alderman G. Copps - vacation

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Rev. Kristine Swire, Priest, St. Paul's Anglican Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow recognized Bethany Petkoff, a Grade 8 Student at Our Lady of Lourdes School RE: N.H.L. in Hamilton - The Illusive Dream.

Mayor R. M. Morrow recognized the McMaster Marauders Basketball Team for their accomplishment

Mayor R. M. Morrow presented a Certificate of Recognition to the Greater Hamilton Downtown Community Development Corporation Founding Board. In attendance were Ed Fothergill, Robert Lyons, Gil Simmons, Wolfgang Schoen, Gord Thompson, Marvin Caplan, Helen Kirkpatrick, Al Peckham, Bill O'Brien, Brian Robertson, Mary Pocius and Carol Jamieson.

Mayor R. M. Morrow recognized Chris Firth-Eagland and Werner Plessl, Department of Public Works and Traffic for their work with respect to the Redevelopment of Sam Lawrence Park.

Mayor R. M. Morrow presented a Certificate of Recognition to Bernice Price in recognition of her investiture as the Notre Dame Basilica in Ottawa with the designation of Dame of Grace in The most Venerable Order of the Hospital of St. John of Jerusalem.

ADOPTION OF MINUTES

The minutes of the special meeting held April 7, 1997 and the regular meeting held April 8, 1997 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1997 April 8 from Michael G. McKenna, Surveyor, Ontario Region, Fire Underwriters Survey re: Survey of Fire Defences of the City of Hamilton.

Referred to the Finance and Administration Committee.

2. Letter dated 1997 April 24 from J. J. Schatz, City Clerk advising of objections to By-law No. 97-049 respecting Rendering Plants.

Received.

3. Application dated 1997 April 11 from Nick Uhac, Homes by Oakbrook for a change in zoning from "E" (Multiple Dwellings, Lodges Clubs, etc.) District to "RT-30" (Street Townhouse) District modified for 33 East 35th Street, Hamilton, Ontario.

Received.

4. Application dated 1997 April 17 from several owners (9), for a change in zoning from "C" (Urban Protected Residential) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1", from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District for Block "2" and from "AA" (Agricultural) District to "C" (Urban Protected Residential) District for Block "3" for property at 117, 123, 131, 139 and 151 Stone Church Road East, Hamilton, Ontario.

Received.

5. Application dated 1997 April 16 from the Canadian National Railway Company, Toronto, Ontario for a change in zoning from "K" (Heavy Industry) District to "L-mr-1" (Planned Development - Multiple Residential) District for property on the north side of Barton Street West, East of Crooks Street, Hamilton, Ontario.

Received.

6. Application dated 1997 April 21 from D. & G. Ciaramella, 50 Victor Blvd., Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 661 Upper Wellington Street, Hamilton, Ontario.

Received.

7. Letter dated 1997 April 24 from 819802 Ontario Ltd., Mr. John Fortino, President respecting casino site zoning.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Merling that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT

Section 32 Re: Two Way Street Proposals

It was moved by Alderman Agro and seconded by Alderman Ross that Section 32 of the Fourth Report for 1997 of the Transport and Environment Committee be tabled for two weeks. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Eisenberger, Charters, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson, Collins, Merling, Anderson. -7. **CARRIED.**

* * * * *

Section 40 Re: Bill A-28: A By-law to Amend By-law No. 89-72 to Regulate Traffic.

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 40 of the Fourth Report of the Transport and Environment Committee for 1997 be amended by adding the following at Sub-Section (k).

(k) A-28 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic. **CARRIED.**

* * * * *

Rule No. 9 Re: Parking Regulation on the west side of East 15th Street

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the implementation of a parking regulation on the west side of East 15th Street. **CARRIED.**

* * * * *

Section 41 Re: Parking Regulation on the west side of East 15th Street

It was moved by Alderman Merling and seconded by Alderman Anderson that the following resolution be added as Section 41 of the Fourth Report of the Transport and Environment Committee for 1997:

41. That a "No Parking" regulation be implemented on the west side of East 15th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly. **CARRIED.**

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

Section 5 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 6 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SEVENTH REPORT

Section 5 Re: Replacing of Appendix "A" - Charity Gaming Clubs, Table Games and Video Lottery Terminals - Boundaries

It was moved by Alderman McCulloch and seconded by Alderman Drury that Section 5 of the Seventh Report of the Planning and Development Committee be amended by further amending the Appendix regarding Charity Gaming Clubs, Table Games and Video Lottery Terminals to include the block of land bounded by Wilson Street, John Street, Hughson Street and Cannon Street; and, that the Schedule in the concurrent by-law be amended accordingly.

CARRIED.

* * * * *

Section 9 Re: Demolition Permits

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13

NAYS: Aldermen Kiss, Eisenberger, Collins. -3.

CARRIED.

* * * * *

Section 15(a) Re: Bill C-23: A By-law to Amend Zoning By-law No. 6593:

It was moved by Alderman McCulloch and seconded by Alderman Drury that Section 15(a) of the Seventh Report of the Planning and Development Committee be amended by further amending the Appendix regarding Charity Gaming Clubs, Table Games and Video Lottery Terminals to include the block of land bounded by Wilson Street, John Street, Hughson Street and Cannon Street; and, that the Schedule in the concurrent by-law be amended accordingly.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - EIGHTH REPORT

Section 16 Re: 1997 Levy By-laws for 7 Business Improvement Areas

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 16 of the Eighth Report for 1997 of the Finance and Administration Committee be amended to correct a clerical error, by deleting the amount of \$3,000 as the 1997 Levy for the Main Street West B.I.A., and amending it to correctly read \$10,000. **CARRIED.**

* * * * *

Section 20(c)(i) Premises - Lease

It was moved by Alderman Ross and seconded by Alderman D'Amico that sub-section (c)(i) of Section 20 of the Eighth Report for 1997 of the Finance and Administration Committee be amended to delete the word "bar" in the fourth line, and insert in lieu thereof the words "private club". **CARRIED.**

* * * * *

Re: Rule No. 9 - Bill D-34: By-law to Authorize 1997 Debenture Projects and Amounts.

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill to Authorize 1997 Debenture Projects and Amounts. **CARRIED.**

* * * * *

Section 29 (s) Re: Bill D-34: By-law to Authorize 1997 Debenture Projects and Amounts.

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Sub-section (s) of Section 29 of the Eighth Report for 1997 of the Finance and Administration Committee:

29. (s) Bill D-34 A By-law to Authorize 1997 Debenture Projects and Amounts. **CARRIED.**

* * * * *

Re: Conflict of Interest - Alderman D. Ross Re: Teletheatre locations

Alderman D. Ross declared personal interest in, took no part in the debate and refrained from voting on this matter as his wife is a M.P.P., - Lillian Ross who is a Parliamentary Assistant to the Minister of Consumer and Commercial Relations.

* * * * *

Rule No. 9 Re: Teletheatre locations

It was moved by Mayor Morrow and seconded by Alderman Kiss that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East.

CARRIED.

* * * * *

Section 30 Re: Teletheatre locations

It was moved by Mayor Morrow and seconded by Alderman Kiss that the following be added as Section 30 of the Eighth Report for 1997 of the Finance and Administration Committee:

30. That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved.

* * * * *

It was subsequently moved by Alderman Wilson and seconded by Alderman Anderson that Section 30 of the Eighth Report of the Finance and Administration Committee be referred to the Finance and Administration Committee.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT

RECONSIDERATION

Local Government Restructuring

It was moved by Alderman Agro and seconded by Alderman Ross:

That Section 1 of the Second Report of the Committee of the Whole for 1997 adopted by City Council at its meeting held 1997 February 28 which reads as follows, be reconsidered:

- (a) That Hamilton City Council go on record as favouring the report prepared by M.P.P. Tony Skarica dated February 23, 1997 and rejects the recommendations of Parliamentary Assistant Hardeman with respect to the restructuring of municipal government in Hamilton-Wentworth, subject to the following conditions:
 - (i) That the Red Hill Creek Expressway be funded on the basis of pooled equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook.
 - (ii) That a transit system be operated and owned by the City of Hamilton.
 - (iii) That the funding of health and social services, social housing and long term care be based on pool equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, and be administered by the City of Hamilton.
 - (iv) That the City of Hamilton be designated as the coordinator for emergency preparedness on behalf of Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, based on pooled equalized assessment.
 - (v) That all municipalities - Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook be responsible for all transition costs based on pooled equalized assessment.
 - (vi) That this document in no way over-ride all rights conferred to municipalities by virtue of the provincial Municipal Act.
- (b) That the Minister of Municipal Affairs be so advised.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Wilson, Eisenberger, D'Amico, Ross. -7.

NAYS: Aldermen Kiss, Drury, Jackson, Merling, Anderson. -5. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Merling that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Report of the City of Hamilton Licensing Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Wilson, Eisenberger, Jackson, Merling, D'Amico, Ross. -10.

NAYS: -0. **CARRIED.**

The meeting concluded at 8:45 o'clock p.m. for lack of a quorum.

Present: Mayor Morrow, Aldermen Caplan, Agro, Drury, Wilson, Eisenberger, D'Amico and Ross. -8.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 29
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) That a "Permit Parking" regulation be implemented on the west side of Earl Street commencing at a point 218 feet south of Princess Street and extending to a point 22 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Doreen Walsh, No. 49 Earl Street.
2. (a) That a "Permit Parking" regulation be implemented on the east side of Cope Street commencing at a point 133 feet south of the northerly end of Cope Street and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Lillian Bendell, No. 404 Cope Street.
3. (a) That a "Permit Parking" regulation be implemented on the south side of Royal Avenue commencing at a point 231 feet west of Emerson Street and extending to a point 24 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Gary Wolfe, No. 79 Royal Avenue.
4. That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Hunter Street West between James Street South and MacNab Street South be removed, and that City Traffic By-law No. 89-72 be amended accordingly.

5.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Sanford Avenue North commencing 147 feet north of Barton Street East and extending to the south curb line of Myler Street and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to initially issue three parking permits to No. 268 Sanford Avenue North, two parking permits to Nos. 270, 274, 276 Sanford Avenue North and one parking permit to No. 272 Sanford Avenue North and any additional permits (to a maximum of 11) on a first-come first-served basis.
6.
 - (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Strathcona Avenue North commencing at Tom Street and extending 134 feet northerly be replaced with a "Three Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation; and,
 - (b) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the north side of Tom Street commencing at Strathcona Avenue North and extending to a point 173 feet westerly therefrom be replaced with a "Three Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
7.
 - (a) That the existing "No Parking" regulation on the east side of Balmoral Avenue North, commencing at Cannon Street East and extending to a point 148 feet northerly therefrom, be replaced with a "No Stopping" regulation; and,
 - (b) That two, one-hour parking meters be installed on the west side of Balmoral Avenue North, commencing at a point 57 feet north of Cannon Street East and extending to a point 36 feet northerly therefrom; and,
 - (c) That a "No Stopping" regulation be implemented on the west side of Balmoral Avenue North commencing at Cannon Street East and extending to a point 57 feet northerly therefrom; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.

8. That the existing "Alternate Side Parking" regulation on Montmorency Drive between Redhill Avenue and the north property line of No. 147 Montmorency Drive be extended southerly to Mount Albion Road and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, on the east side of Bond Street North commencing at King Street West and extending to a point 133 feet northerly therefrom, be replaced with a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Shaw Street commencing at a point 186 feet east of Victoria Avenue North and extending to a point 18 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Leslie Kentner, No. 17 Shaw Street.
11. That the existing "Alternate Side Parking" regulation on Rosslyn Avenue South between Lawrence Road and the south curb line of Justine Avenue be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side, and that the City Traffic By-law No. 89-72 be amended accordingly.
12. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Bowman Street between Main Street West and Westwood Avenue be replaced with a "No Parking" regulation and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That a "No Stopping" regulation be implemented on the north side of St. Joseph's Drive commencing at a point 469 feet east of John Street South and extending to a point 58 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
14. That the existing 191 foot "No Parking" regulation on the west side of Kinrade Avenue, south of Barton Street East, be shortened such that the regulation commences at Barton Street East and extends to a point 142 feet southerly therefrom and that the existing 167 foot "No Parking" regulation on the east side of Kinrade Avenue, south of Barton Street East, be shortened such that the regulation commences at Barton Street East and extends to a point 132 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

15. That the existing "No Stopping, Wheelchair Loading Zone" regulation, in effect 24 hours a day, seven days a week, on the west side of Parkview Drive, commencing at a point 59 feet north of Franklin Avenue and extending to a point 19 feet northerly therefrom, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
16. That a "Wheelchair Loading Zone, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the east side of Prospect Street South commencing at a point 181 feet south of Main Street East and extending to a point 26 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That the Commissioner of Public Works and Traffic be authorized to issue a time limit exemption permit to Mr. Pat Coulter, No. 807 - 44 Queen Street North.
18. That the application of Jim and Christina Vanderkooy, owners of the four-unit apartment at No. 70 Stanley Avenue, to execute a commercial boulevard parking agreement be approved, provided that:
 - (a) the applicant discharges the existing residential boulevard parking agreement registered as Instrument No. 294395 C.D. at the property owner's expense; and
 - (b) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is \$62.40 per space for the first two spaces and \$33.21 per space for any additional spaces per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (c) the owner pays a one-time \$50 registration fee, as approved by the City Council on 1986 January 14; and,
 - (d) the owner pays a one-time \$219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
 - (e) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
 - (f) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,

- (g) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
-
- 19. That a "No Stopping" corner clearance regulation be implemented on the south side of Maplewood Avenue commencing at Blake Street and extending to a point 50 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 20. That all-way stop control be implemented at the intersection of Bonaparte Way and Fusilier Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 21. That eastbound traffic on Alexander Street be required to stop for northbound and southbound traffic on Reginald Street and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 22. That northbound traffic on Fay Avenue be required to stop for eastbound and westbound traffic on Organ Crescent and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 23. (a) That the following sections of streets be deleted from the snow route system:
 - (i) Franklin Avenue between Longwood Road North and Uplands Avenue
 - (ii) Norwood Road between Longwood Road North and Uplands Avenue
 - (iii) Uplands Avenue between Franklin Avenue and Norwood Road; and,(b) That the City Traffic By-law No. 89-72 be amended accordingly.
 - 24. That, effective 1997 May 1, the staff compliment of the Parking Control Section of the Community Traffic Services Division be adjusted by deleting two Parking Control Officer positions (2.0 FTE's) and by replacing them with two Towing Officer positions (2.0 FTE's).

25. That the estimated expenditure level for the provision of concrete cutting saw/operator services by Bigelow Brothers Construction, being the lowest of four tenders received, be increased from \$100,000 to \$200,000.
26. (a) The following City land be incorporated into the following streets:
- | | | |
|--------------------|---------------------|---------------------------------|
| Adele Court | Block 35 | Plan 62M-760 |
| West Village Drive | Block 29 | Plan 62M-793 |
| Duncairn Crescent | Block FX and Part 1 | Plans M-129 and 62R-12403; and, |
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the by-laws.
27. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:
- "Wellington Chase - Phase 5", Hamilton**
- City's Share - NIL -, Owner's Share \$72,593.23
- "Westview Estates", Hamilton**
- City's Share - NIL -, Owner's Share \$140,156.91; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Wellington Chase - Phase 5", Hamilton and "Westview Estates", Hamilton as well as any other related documents for these subdivisions subject to the approval of the City Solicitor; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

- (d) In the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
28. (a) That the submitted schedules of works be approved for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in:
- "Allison Estates - Phase 4", Hamilton**
- City's Share - \$ 124,891.63, Owner's Share - \$ 155,139.40
- "Wisemount Estates - Phase 8", Hamilton**
- City's share \$ 7,693.52, Owner's share \$ 154,118.33; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Allison Estates - Phase 4", Hamilton and "Wisemount Estates - Phase 8", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,
 - (d) In the event that the Owners wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City's share of servicing "Allison Estates - Phase 4" subdivision at an estimated cost of \$124,891.63 and the City's share of servicing "Wisemount Estates - Phase 8", subdivision at an estimated cost of \$7,693.52 be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,
 - (f) That City Council be advised that "Allison Estates - Phase 4 and subsequent phases of "Allison Estates" will be constructed with no boulevard between the sidewalk and curb.

29. (a) That an Offer to Purchase (Highway Closure), duly executed by John W. Mudjar and Mary E. Mudjar on 1997 April 10 and scheduled to close on or before 1997 November 28, for the lands composed of Reserved for Street, Parcel "C", 0.305 Reserve, Registered Plan 851, having a frontage along the westerly limit of Owen Place of 20.116 metres (65.9 feet) more or less, by a depth of 33.245 metres (109.0 feet) more or less, shown as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-10952; Parts 3 and 6 are to an easement in favour of The Sisters of St. Joseph of Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$57,100 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
 - (b) That the required deposit cheque in the amount of \$5,710 be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (ii) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
30. (a) That the one foot reserve on Bonaventure Drive described as Part 5 on Plan RB-H-567 Surveys be declared surplus to the requirements of the City of Hamilton in accordance with Realty Sales Procedural By-law 95-049; and,
 - (b) (i) That an Offer to Purchase, duly executed by Frank Mulas Construction Ltd. (Frank Mulas, President) on 1997 March 5 and scheduled to close on or before 1997 October 8, for the lands composed of part of Lot 19, Concession 6, in the geographic Township of Barton, now in The City of Hamilton, designated as Part 5 on Plan RB-H-567 Surveys, containing an area of 2.8 square metres (30.14 square feet) more or less, subject to a watermain easement in favour of the Regional Municipality of

Hamilton-Wentworth over Part 5 on Plan RB-H-567 Surveys, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$3,500 be credited to Account No. CH4X501 00107 (Reserve for Unsubdivided Lands); and,

- (ii) That the required deposit cheque in the amount of \$350 be held by the City Treasurer pending Council approval; and,
- (iii) That it be understood and agreed that the Offer to Purchase be conditional on the following:
 - (1) The Vendor consents to the Purchaser, at their sole expense, including the subject property in an application for the rezoning of the abutting lands at 1126 Garth Street, Hamilton, from "A" (Agricultural) District to RT-20 (Townhouse -Maisonette) District and an amendment of the Gilbert Neighbourhood Plan for the City of Hamilton for the subject property from Low Density Apartments to "Attached Housing". The Vendor agrees to sign the requisite documents for such applications and to do all things reasonably necessary in support of them; and,
 - (2) Each of the following events taking place prior to the closing date:
 - (a) a City by-law being approved and passed to rezone the subject lands from "AA" (Agricultural) District to RT-20 (Townhouse-Maisonette) District in accordance with the requirements of the Planning Act, R.S.O., 1990; and,
 - (b) a period of at least thirty (30) days elapsing since the passage of the by-law within which time period no appeal has been launched at the OMB pursuant to the provisions of the Planning Act and the by-law and consent have therefore become final and binding; and,
 - (c) the City amending the Gilbert Neighbourhood Plan for the subject lands from "Low Density Apartment" to "Attached Housing"; and,

- (3) If the required zoning or neighbourhood plan amendment set out in 2 (a), (b) and (c) above have not been completed by the date of closing set out in this Offer to Purchase, then this Offer shall be null and void and the deposit shall be returned by the Vendor to the Purchaser without interest and the Vendor shall not be liable for any damages or costs; and,
- (4) As the above noted conditions are for the benefit of the Purchaser, the Purchaser may at any time prior to the closing date, at its option, by written notice to the City, waive the benefits of these conditions; and,
- (5) It is also understood that:

The closing of this Offer to Purchase is subject to the Regional Municipality of Hamilton-Wentworth accepting and completing an Offer to Purchase executed by Frank Mulas Construction Ltd. for the purchase of the Regional lands being designated as Part 1 and 2 on Plan RB-H-567 Surveys. Said Part 2, Plan RB-H-567 Surveys is being sold subject to an easement to be granted in favour of the Regional Municipality of Hamilton-Wentworth. The Regional Offer to Purchase is to be accepted by Regional Council and both properties are to close on the same day; and,

In the event condition (5) is not met then this Offer to Purchase shall be null and void and the deposit cheque returned to the Purchaser without penalty or interest; and,

- (iv) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (v) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (1) satisfactory Notice has been given to the public of the intended sale; and,
 - (2) no appraisal of fair market value of the real property being sold was obtained as 0.3 metre reserves are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

31. (a) That the City of Hamilton support the evaluation of all measures to support and enhance a pedestrian-friendly environment, including but not limited to reductions in travelled lanes, transit priority measures, modifications to traffic signal progression, reductions in traffic speeds, sidewalk widenings, and changes to parking restrictions; and,
- (b) That the Region be advised of the City's wish to actively participate in the Region's Downtown Transportation Plan Study and further, that the Citizen's Two-Way Street Committee be included as a stakeholder group in the development of this Study.
32. (a) That a Transportation and Urban Design firm be retained, at an upset limit of \$10,000, to review how the following two-way street proposals could be implemented:
- (i) King Street, between Victoria and Queen
- (ii) James Street, between the Escarpment and the Harbour
- (iii) John Street, between the Escarpment and the Harbour; and,
- (b) That the operational issues to be studied include:
- (i) impact on hospitals
- (ii) requirements of Police and Fire Departments
- (iii) traffic flow at the micro level; and,
- (c) That, assuming the foregoing studies show the proposal can be implemented, the study include an estimate of the costs of the required changes to traffic lights, traffic signs and other matters; and,
- (d) That the draft study be made available to relevant City and Regional Staff for comment prior to submission to this Committee; and,
- (e) That the completed report on this matter will be available by 1997 July 15.
- TABLED FOR TWO WEEKS.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Eisenberger, Charters, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson, Collins, Merling, Anderson. -7.

CARRIED.

33. (a) That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton does not object to Philip Environmental Inc. receiving a Provisional Certificate of Approval No. A650104 for a Waste Disposal Site (Processing) for the site located at No. 1579 Burlington Street East, Hamilton on the condition that all environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy, and that all applicable City By-laws are complied with fully; and,
- (b) That a copy of this Report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,
- (c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval for Philip Environmental Inc. to the City of Hamilton.
34. (a) That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton has no objection to Hamilton Bio Conversion Inc. receiving an amendment to their existing Provisional Certificate of Approval for a Waste Disposal Site (Processing) for the site located at No. 2380 Brampton Street, Hamilton on the condition that the Ministry of Environment and Energy revisit the Certificate of Approval in 1997 September, to ensure that the remedial action taken by the proponent to mitigate odours is effective during the summer months, and that all other environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy and that all applicable City By-laws are complied with fully; and,
- (b) That a copy of this Report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,

- (c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval amendment for Hamilton Bio Conversion Inc. to the City of Hamilton; and,
 - (d) That the Commissioner of Environmental Services be directed to report back to the Transport and Environment Committee in 1997 September on the effectiveness of the remedial action taken by the proponent to mitigate odours resulting from this operation.
- 35.
- (a) That a Purchase Order be issued to Premier Waste Systems Ltd., Hamilton in the amount of \$128,000 per year, plus G.S.T., for a five year term, being the lowest of five proposals received for the Collection of Bulk Garbage in accordance with the specifications issued by the Purchasing Division, Treasury Department and the Vendor's proposal; and,
 - (b) That a contract be entered into satisfactory to the City Solicitor; and,
 - (c) That, subject to Sub-Section (b) above, the Contract start date be Monday, 1997 June 16; and,
 - (d) That this expenditure be financed through Garbage Collection Account No. CH56319 60301.
36. That a purchase order be issued in the amount of \$114,571.55 plus applicable tax to Cox Construction, for concrete crushing at B.A. Court Yard and Brampton Street Yard being the lowest tender received in accordance with the Purchasing Division specifications and be financed from Stock Account No. CH56197 60999.
37. That a donation of 195 granite cobblestones previously removed from Ferguson Avenue and valued at \$1,380 be granted to the Workers Arts and Heritage Centre.
- 38.
- (a) That stop controls be implemented, as a result of consultation with area residents and the Ward Aldermen, at the following intersections:
 - (i) Eastbound/Westbound on Limeridge Road East at Brewster Street
 - (ii) Westbound on Bacall Crescent (West) at Birchview Drive
 - (iii) Eastbound on Basin Crescent (East) at Birchview Drive

- (iv) Eastbound on Basin Crescent (West) at Birchview Drive
- (v) Northbound/Southbound on Birchview Drive at Bloor Street
- (vi) Northbound/Southbound on Birchview Drive at Beryl Street
- (vii) Eastbound/Westbound on Lockton Crescent at Lawson Street
- (viii) Eastbound/Westbound on Limeridge Road East at Lockton Crescent
- (ix) Eastbound/Westbound on Limeridge Road East at Lawnview Drive
- (x) Eastbound/Westbound on Limeridge Road East at Manning Avenue
- (xi) Westbound on Goldstrum Avenue at Ridge Street
- (xii) Northbound/Southbound on Ridge Street at Goldstrum Avenue
- (xiii) Northbound/Southbound on Ridge Street at Victor Boulevard (North)
- (xiv) Eastbound/Westbound on Limeridge Road West at Hawkrigde Avenue
- (xv) Westbound on Aldridge Street at Hawkrigde Avenue
- (xvi) Eastbound on Aldridge Court at Hawkrigde Avenue
- (xvii) Eastbound/Westbound on Aldridge Street at Caledon Avenue
- (xviii) Northbound/Southbound on Hawkrigde Avenue at Jameston Avenue
- (xix) Eastbound/Westbound on Jameston Avenue at Caledon Avenue
- (xx) Eastbound on Tyrone Drive at Hawkrigde Avenue
- (xxi) Eastbound/Westbound on Limeridge Road East at Kingfisher Drive; and,

- (b) That the above stop controls be implemented in conjunction with the Limeridge Road closures, on or about 1997 July 1; and,
 - (c) That Limeridge Road from Upper Ottawa Street to West 5th Street be removed from the Snow Route system; and,
 - (d) That parking be allowed at all times on the south side of Limeridge Road East from Kingfisher Drive to the easterly end; and,
 - (e) That the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (f) That the closure and alteration of Limeridge Road in conjunction with the construction of the Red Hill Creek Expressway be advertised in accordance with the Municipal Act.
39. That in accordance with the decision to remove transit service from Limeridge Road between Upper Ottawa and West 5th Street effective on or about 1997 June 22, the bus stops, as listed in the attached Appendix "A", be removed and the City Traffic By-law No. 89-72 be amended accordingly.
40. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-18 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-19 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (c) A-20 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (d) A-21 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (e) A-22 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (f) A-23 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (g) A-24 A By-law to Incorporate City Land Designated as Block 35, Plan 62M-760 into Adele Court
 - (h) A-25 A By-law to Incorporate City Land Designated as Block 29, Plan 62M-793 into Westvillage Drive

- (i) A-26 A By-law to Incorporate City Land Designated as Block FX on Plan M-129 and Part 1 of Plan 62R-12403 into Duncairn Crescent
- (j) A-27 A By-law to Stop-up, Close and Retain Portions of Jeremy Street Designated as Parts 1 and 2 on Plan 62R-14037
- (k) A-28 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **ADDED.**

41. That a "No Parking" regulation be implemented on the west side of East 15th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly. **ADDED.**

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary
1997 April 21**

Appendix "A" as referred to in Section 39
of the Fourth Report of the Transport and
and Environment Committee for 1997

Route #45 Limeridge

Delete - Eastbound	Limeridge Road West, south side, 48' west of the west curb line (projected) of Lynbrook Drive (M/B); and
Delete - Eastbound	Limeridge Road West, south side, 151' west of the west curb line of Upper James Street (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 61' east of the east curb line (projected) of Ridge Street (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 10' east of the east curb line (projected) of Maitland Avenue (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 94' west of the west curb line of Upper Wellington Street (N/S); and
Delete - Eastbound	Limeridge Road East, south side, 20' west of the west curb line (projected) of Flamingo Drive (M/B); and
Delete - Northbound	Kingfisher Drive, east side, 109' north of the north curb line of Limeridge Road East (F/S); and
Delete - Northbound	Kingfisher Drive, east side, 45' south of the south curb line of Heron Place (N/S); and
Delete - Eastbound	Kingfisher Drive, south side, 16' west of the west curb line (projected) of Dove Court (M/B); and
Delete - Eastbound	Kingfisher Drive, south side, 68' west of the west curb line of Upper Wentworth Street (N/S); and
Delete - Eastbound	Limeridge Road East, south side, 276' west of the west curb line (projected) of Rockingham Drive (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 480' west of the west curb line of Upper Sherman Avenue (M/B); and

Delete - Eastbound	Limeridge Road East, south side, 34' west of the west curb line of Upper Sherman Avenue (N/S); and
Delete - Eastbound	Limeridge Road East, south side, 44' east of the east curb line (projected) of Lawnview Drive (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 98' east of the east curb line of the east leg of Leggett Crescent (F/S); and
Delete - Eastbound	Limeridge Road East, south side, 10' east of the east curb line (projected) of Lockton Crescent (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 228' west of the west curb line of Upper Gage Avenue (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 24' east of the east curb line (projected) of Birchview Drive (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 25' west of the west curb line (projected) of Brewster Street (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 23' west of the east curb line (projected) of Berrisfield Crescent (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 55' west of the west curb line of Upper Ottawa Street (N/S); and
Delete - Westbound	Limeridge Road East, north side, 65' east of the east curb line of Berrisfield Crescent (N/S); and
Delete - Westbound	Limeridge Road East, north side, 37' east of the east curb line of Brewster Street (N/S); and
Delete - Westbound	Limeridge Road East, north side, 76' east of the east curb line of Birchview Drive (N/S); and
Delete - Westbound	Limeridge Road East, north side, 134' east of the centre line of Upper Gage Avenue (N/S); and
Delete - Westbound	Limeridge Road East, north side, 42' east of the east curb line of Lockton Crescent (N/S); and

Delete - Westbound	Limeridge Road East, north side, 18' east of the east curb line of Lawnview Drive (N/S); and
Delete - Westbound	Limeridge Road East, north side, 18' east of the east curb line of Upper Sherman Avenue (N/S); and
Delete - Westbound	Limeridge Road East, north side, 600' west of the west curb line of Upper Sherman Avenue (M/B); and
Delete - Westbound	Limeridge Road East, north side, 810' east of the east curb line of Upper Wentworth Street (M/B); and
Delete - Westbound	Kingfisher Drive, north side, 223' west of the west curb line of Upper Wentworth Street (M/B); and
Delete - Westbound	Kingfisher Drive, north side, 35' east of the centre line of Finch Place (N/S); and
Delete - Southbound	Kingfisher Drive, west side, 29' north of the north curb line of Sparrow Court (N/S); and
Delete - Southbound	Kingfisher Drive, west side, 179' north of the north curb line of Limeridge Road East (M/B); and
Delete - Westbound	Limeridge Road East, north side, 81' east of the east curb line of Flamingo Drive (N/S); and
Delete - Westbound	Limeridge Road East, north side, 57' east of the east curb line of Upper Wellington Street (N/S); and
Delete - Westbound	Limeridge Road East, north side, 52' east of the east curb line of Maitland Avenue (N/S); and
Delete - Westbound	Limeridge Road East, north side, 38' east of the east curb line of Ridge Street (N/S); and
Delete - Westbound	Limeridge Road East, north side, 36' east of the east curb line of Upper James Street (N/S); and
Delete - Westbound	Limeridge Road West, north side, 62' east of the east curb line of West 5th Street (N/S); and
Delete - Westbound	Limeridge Road West, north side, 30' east of the east curb line of Garth Street (N/S).

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. That the Director of the Department of Culture and Recreation be authorized to apply to the Federal Department of Canadian Heritage for two positions (Historical Gardening Assistants) under the Young Canada Works programme for a period of eight (8) weeks at no cost to the City.
2. That approval be given to the Director of the Department of Culture and Recreation to expend up to \$1,300 from the Children's Museum's Reserve Account No. CH5X942 00183 for the purchase of actuator buttons, a memory upgrade, and a CD-ROM for the MacIntosh computer for the exhibit area at the Hamilton Children's Museum.
3. That approval, as required by Parks By-law No. 95-126, Section 37, be given to the Director of the Culture and Recreation Department to authorize the use of a horse and carriage in Dundurn and Harvey Parks for the official opening of the Coach House facility on 1997 May 10, to give public carriage rides, under the following terms and conditions:
 - (a) That proof of insurance be provided in the amount of \$1 million for comprehensive General Liability, Property Damage, Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (b) That the operator assume responsibility for all clean-up related to the carriage rides.
4. (a) That approval, as required by Parks By-law No. 95-126, Section 37, be given to the Director of the Culture and Recreation Department, to authorize the Friends of the Hamilton Children's Museum to bring animals into Gage Park on the occasion of the 19th Birthday Party for the Hamilton Children's Museum to be held on 1997 July 17 (raindate 1997 July 18) subject to the following terms and conditions:

- (i) That proof of insurance be provided in the amount of \$2 million for Comprehensive General Liability, Property Damage, Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the exhibitors assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be approved at the applicant's expense; and,
 - (iv) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
 - (b) That approval, as required by Parks By-law No. 95-126, Sections 29, 30 and 33 be given to the Director of the Culture and Recreation Department, to permit twelve (12) exhibitors to park their cars/trucks and trailers on the grass at the east and south sides of the south parking lot at the Hamilton Children's Museum during the Birthday Party event on 1997 July 17 (raindate 1997 July 18).
5. That approval, as required in compliance with Section 11 of Parks By-law No. 95-126 and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to sell alcoholic beverages in the locations and on the dates specified:
- (a) Hamilton Ladies Slo-Pitch Association - 1997 June 20, June 21, June 22 - Turner Park; and,
 - (b) Gourley Park Association - 1997 July 3, July 4, July 5, - Gourley Park (J. A. MacDonald School); and,
 - (c) Hamilton Wentworth Police Association - 1997 July 11, July 12, July 13 - Turner Park; and,
 - (d) Wentworth Adult Mixed Slo-Pitch League - 1997 May 30, May 31, and June 1; 1997 July 25, July 26, July 27 - Globe Park; and,
 - (e) Canamera Foods - 1997 September 13 - Globe Park; and,

- (f) Canada Auto Workers National Slo-Pitch Tournament - 1997 September 20
- Globe Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

6. That approval as required by Section 17(1) and Section 26 of the Fireworks By-law 90-198 and Section 11 of the Parks By-law No. 95-126, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to St. Anthony's Feast Committee to hold a low-level Fireworks Display and serve alcoholic beverages at Ivor Wynne Stadium on 1997 June 15, in conjunction with the annual Feast Celebrations.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

7. That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor, with Boardview Advertising Inc. as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1997 February 19, and closed on 1997 March 12, for the supply, installation, service and maintenance of Arena Rink Board advertising at the Chedoke Twin Pad Arena, for a term of two years, at a guaranteed revenue of not less than \$4,000 annually, with an option to renew for three one-year terms, commencing on the signing of the agreement.

8. (a) That the City Treasurer be authorized to revise the gross cost of the Steam Museum Pumpouse Restoration project from \$550,000 to \$1,100,000 with \$550,000 provided under the cost-sharing agreement by the Federal Government and the balance of \$550,000, being the City's share of the cost, funded from the issuance of debentures as approved by City Council on 1992 March 27; and,

- (b) That the City Solicitor be authorized to revise the City By-law No. 92-213 dated 1992 August 25 and the Ontario Municipal Board No. E920488 dated 1992 June 26 to reflect the revised gross cost noted above.
- 9.
- (a) That the City of Hamilton renew the Lease Agreement which expired on 1995 December 31 with Her Majesty the Queen, represented by the Minister of the Environment (National Water Institute), for the use of City lands lying immediately east of No. 57 Beach Boulevard; and,
 - (b) That the new term commence 1996 January 1 and expire 2001 December 31, for an annual rent of \$1 plus any applicable taxes, and rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rental); and,
 - (c) That either party has the right to terminate the agreement on thirty (30) days written notice; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement subject to the terms and conditions of the City Solicitor.
- 10.
- (a) That the City accept a donation for the supply and installation of creative play equipment (supplied by Kompan Playscapes Inc.) from Saturn Canada valued at \$8,500; and,
 - (b) That this play structure donation be used as follows: \$1,500 towards Victoria Park, \$1,500 towards Jackson Park, and \$5,500 towards Sam Manson Park; and,
 - (c) That the City accept a cash donation of \$6,700 from Mr. Ron Richter; and,
 - (d) That an income tax receipt be issued to Mr. Ron Richter for his cash donation of \$6,700; and,
 - (e) That the cash donation be credited to Account No. CF659752040 - 1997 Play Structure Redevelopment; and,
 - (f) That the City redevelop the creative play structure area at Sam Manson Park at an estimated cost of \$31,200; and,
 - (g) That funding for redevelopment of the creative play structure area be taken from Account CF659752040 - 1997 Play Structure Redevelopment; and,

- (h) That in order to standardize the development at Sam Manson Park, the City purchase play structure equipment from Kompan Playscapes Inc. for the amount of \$11,200 (\$6,700 donation and \$4,500 from the City), and that this purchase be made without the requirement of receiving three competitive bids, as per the Purchasing Policy.
11. That Section 7 (c) of the First Report of the Parks and Recreation Committee for 1994 as adopted by City Council at its meeting held 1994 December 13 respecting signing authority on New Mum Show Sub-Committee accounts be amended to read as follows:
- That all expenditures charged to the Reserve Account be authorized by the Secretary of the New Mum Show Sub-Committee on the recommendation of the New Mum Show Sub-Committee.
12. (a) That City Council express its congratulations to the Executive and volunteers of the Canusa Games on the occasion of the 40th anniversary of this international youth sports exchange between the Cities of Hamilton and Flint, Michigan; and,
- (b) That City Council provide one time funding support to a maximum amount of \$16,100 for additional expenses anticipated for the mounting of a special 40th anniversary opening ceremonies to be held on 1997 August 8; and,
- (c) That the Finance and Administration Committee be requested to identify a source of funding for this one time grant; and,
- (d) That the Director of Culture and Recreation be authorized to waive green fees for the use of Chedoke Civic Golf Course, Beddoe course by Canusa Games - Hamilton Branch for the purposes of holding a fund-raising golf tournament.
13. That the Child Abuse Reporting Policy - Culture and Recreation Department, attached hereto as Appendix "A", be approved.

14. That approval be granted to enter into an agreement, in a form satisfactory to the City Solicitor, with Mini Sports Shops of Hamilton, as the sole bidder in response to a request for proposal issued through the Purchasing Department, for the management and operation of a Pro Shop within the Chedoke Twin Pad Arena, and to begin 1997 May 1, for a period of three years and set to terminate 2000 April 30, with a monthly rent payable of \$200 inclusive of all taxes.
15. (a) That a moratorium be declared on the construction of single purpose meeting space facilities in City of Hamilton parks with the exception of the facility presently being planned for Roxborough Park pending a review of use, management and maintenance of existing facilities by the Director of Culture and Recreation and the Commissioner of Public Works and Traffic; and,

(b) That staff be directed to report back on the results of this review by the end of 1997.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1997 April 22nd

**Appendix "A" as referred to in Section 13
of the Fourth Report of the Parks and
Recreation Committee for 1997**

**HAMILTON DEPARTMENT OF CULTURE AND RECREATION
CHILD ABUSE REPORTING POLICY**

POLICY

Department Representatives are obligated to comply with their responsibility under the Child and Family Services Act, 1985, Section 68:2 & 68:7, with respect to the reporting of suspected child abuse.

TRAINING

All full-time and part-time/seasonal staff working with children will be trained in identification and correct reporting procedures for incidents of suspected child abuse.

DEFINITION OF ABUSED CHILD

A child, according to the law of Ontario, is someone under the age of sixteen, or up to eighteen if under the care of a Child Welfare Agency.

An abused child is one who has been:

- physically harmed, or
- seriously deprived of nutrition, care, or other basic needs, or
- sexually abused, or
- emotionally or psychologically abused

SUSPICION OF ABUSE

Acting upon a suspicion of child abuse is an immediate priority and must be treated confidentially.

Any staff person or volunteer, who has reasonable grounds to suspect that a child has been abused must collect, record and report on a "Record of Suspected Child Abuse" form any relevant and available information, and notify their **Supervisor** (Centre Supervisor, Aquatic Supervisor, Facility Supervisor, Curator) at once. If the immediate supervisor is not available, the next available person in authority (**full time staff member**) must be contacted.

DECISION TO REPORT

The Supervisor or full-time staff member shall immediately:

- verify/clarify details of the report with the reporting staff, within 2 hours of suspicion,
- make a decision to report the suspicion to the appropriate Child Welfare Agency, or
- make a decision that the evidence does not warrant a suspicion of abuse being reported, and inform the reporting staff or volunteer that they may choose to report the incident on their own, if they are convinced a report is necessary
- notify their Division Manager and Supervisor of action taken (including a decision not to report) within 24 hours (Monday to Friday), or on the Monday following a weekend incident
- notify the reporting staff or volunteer of the decision made and action taken

REPORTING PROCEDURE

The Supervisor or full-time member shall immediately:

- document the suspicion (using a Record of Suspected Child Abuse form), and ensure that a list of names, addresses and phone numbers of observing staff or volunteer(s) is available. (Do not make copies of the form, or send it by fax. This is confidential information.)
- contact the appropriate Child Welfare Agency listed on the next page, ask for the Intake Worker, and comply with their reporting protocol or contact the Training Unit for assistance in reporting

Child Welfare Agencies

Children's Aid Society 522-1121

Catholic Children's Aid 525-2012

(If religious affiliation cannot readily be determined, contact the Children's Aid Society.)

- submit the Record of Suspected Child Abuse form to his/her Supervisor along with a record of the action(s) taken to date on the incident

SUPERVISOR RESPONSIBILITY

The **Division Manager** will notify the Director about the incident and will then submit the form in confidence to the **Office of the Director** in whose office the files are maintained.

If the decision by the Supervisor or full-time staff is **NOT** to report, the "Record of Suspected Child Abuse" form **MUST still be completed**, signed and forwarded in confidence to the Office of the Director.

PROHIBITION

Staff are prohibited from using any form of abuse or corporal punishment.

Staff are prohibited from being alone in an enclosed office or space with a child.

Staff are prohibited from taking trips from their facility alone with a child.

RF:mp

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1997 and respectfully recommends:

- 1.A. (a) That approval be given to Amended Subdivision Application 96-01 (Regional File No. 25T-96001), Paul Silvestri, owner, to establish a draft plan of subdivision "Olmsted Park", for lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, comprising of 19 lots for single detached dwellings, a future road, 5 blocks to be developed with the adjacent lands to the north and east for single detached dwellings, 3 blocks for road widenings and 5 blocks for 0.30 m reserves, subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated April 14, 1997, showing 19 lots for single detached dwellings, a future road, 5 blocks to be developed with the adjacent lands to the north and east for single detached dwellings, 3 blocks for road widenings and 5 blocks for 0.30 m reserves (see attached Appendix "A"); and,
 - (ii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
 - (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
 - (iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
 - (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

- (vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
 - (vii) That a 2m by 2m daylight triangle for road widening purposes from Lot 10 at the L-shape bend in the road be included on the Final Plan of Subdivision; and,
 - (viii) That the north - south section of Street A must align centreline to centreline with the future street proposed in approved Dicenzo Gardens draft plan of subdivision; and,
 - (ix) That access to single family residential development be from the mid-block collector and other major collector streets, as provided for in the approved Ryckmans Neighbourhood Plan; and,
 - (x) That Lots 16, 17, 18, 19, and Block 21 not be developed until the street cul-de-sac is established and constructed to its full width with a minimum right-of-way radii of 15m and minimum 9m radius transitions into and out of the cul-de-sac bulb; and,
 - (xi) That Blocks 21, 22, 23 and 32 be developed in conjunction with the adjacent lands (Block 409 on "DiCenzo Gardens" draft Plan of Subdivision (25T-86008)); and,
 - (xii) That Block 20 be developed in conjunction with the adjacent lands; and,
 - (xi) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,
 - (xvii) That the owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-96001(R)), Paul Silvestri, owner, proposed draft plan of subdivision, and that the City

execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

- (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,

- B.
 - (a) That approval be given to Amended Zoning Application ZAC-96-05, Paul Silvestri, owner, for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District (Blocks "1" and "2") and "C" (Urban Protected Residential, etc.) District (Block "3"), for lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, as shown on the attached map marked as Appendix "B" on the following basis:
 - (i) That Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District; and,
 - (ii) That Block "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (iii) That the "R-4" (Small Lot Single Family) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands shown as Block "1", be modified to include the following special requirement:
 - (1) That notwithstanding Section 9A.(2)(b) of By-law No. 6593, the single family dwelling existing at the time of the passing of this by-law, known municipally as 177 Rymal Road East, shall provide and maintain the following setbacks:
 - (a) 9.9 metres from the northerly lot line;
 - (b) 4.3 metres from the southerly lot line;
 - (c) 1.2 metres from the westerly lot line;
 - (d) 1.2 metres from the easterly lot line; and,
 - (iv) That the amending By-law applicable to Block "2" apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding

provision will prohibit the development of the subject lands until such time as the availability of all such municipal services for the subject lands as the City deems necessary to service the proposed development.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled; and,

- (v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1379, and that the Blocks "1" and "2" on Zoning District Map E-9D be notated S - 1379; and,
- (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,
- (vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
- (b) That upon finalization of the zoning by-law and draft plan approval of the amended subdivision plan, that the approved Ryckmans Neighbourhood Plan be amended to revise the local road pattern and to redesignate the subject lands from "Attached Housing" to "Single and Double Residential".

- 2. A. (a) That the amended request by 822827 Ontario Inc. (A. DiSilvestro) for a revised plan of subdivision "Wisemount Estates" (File No. 25T-83004(R)), for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, comprising of 67 lots for street townhouses, 1 lot for a single family dwelling, 1 block to be merged with the abutting single family lot, 1 block for parkland, 2 blocks for road widening purposes, 1 block for a small lot single family dwelling, as shown on the attached map marked as Appendix "C", be denied; and,
- (b) That amended Zoning Application ZAC-97-07, 822827 Ontario Inc., owner, for changes in zoning from "DE-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "1"); from "DE-2" (Multiple Dwellings) District to "RT-

30" (Street - Townhouse) District (Block "2"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "3"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "4"); and, from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District (Block "5") for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, as shown on the attached map marked as Appendix "D", be denied for the following reasons:

- (i) the dedication of Block 69 to the City of Hamilton as a park block cannot be supported for the following reasons:
 - (1) since it is an isolated site which has no visibility from the street and will be fenced on all sides from the adjacent residential properties, it may not be possible to see the activities that are occurring in the park (eg dogs running off the leash); and,
 - (2) due to the size of the proposed park, there are potential land use conflicts such as noise emanating from the park and encroachments by abutting property owners into public space, etc.; and,
 - (3) the size is too small for neighbourhood park facilities; and,
- (ii) the development of Block 69 as a private park cannot be supported given that if the property standards are not maintained, the City may incur significant costs enforcing the property standards backyard by-laws. If the City should gain ownership of this parcel of land in the future, the municipality would assume responsibility for maintenance and policing of the land; and,

- B. (a) That the red-line revised plan of subdivision "Wisemount Estates" (File No. 25T-83004(R)), for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, comprising of 52 lots for street townhouses, 1 lot for a single family dwelling, 1 block for future development, 2 blocks for road widening purposes, and 1 block for a public walkway, be approved subject to the following conditions:

- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and J.D. Barnes Limited (surveyor), dated March 20, 1997, showing 52 lots for street townhouses, 1 lot for a single family dwelling, 1 block for future development, 2 blocks for road widening purposes, and 1 block for a public walkway (see attached Appendix "E"); and,
- (ii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (vii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each

rainfall, including remedial measures taken, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,

- (3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch; and,
- (4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction; and,
- (viii) That the owner dedicate Block 56, being a 3.048 m road widening for Limeridge Road, to the City of Hamilton; and,
- (ix) That the owner dedicate Block 57, being a 5.18 m road widening for Upper Kenilworth Avenue, to the City of Hamilton; and,
- (x) That the Owner establish Street "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Senior Director, Roads Department; and,
- (xi) That the Owner provide the Region with documentation to the satisfaction of the Regional Environment Department and Utility Corporations (Hamilton Hydro, Union Gas, Bell Canada and Cable TV) that the standard roadway cross-section, utilities and municipal sidewalks etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width; and,
- (xii) That the Owner construct sidewalks on both sides of Street "A" and that a combined walk and curb is to be

constructed to the satisfaction of the Regional Environment Department; and,

- (xiii) That 1 m by 1 m daylight triangles be included on the Final Plan of Subdivision at the intersection of Street "A" and Limeridge Road, as widened and Street A and Upper Kenilworth Avenue, as widened; and,
- (xiv) That a minimum 4 m by 4 m daylight triangle be included on the Final Plan of Subdivision at the 90 angle in Street "A" adjacent to Lot 42; and,
- (xv) That Block 55, being a 6.0 m wide public walkway be dedicated to the City of Hamilton and the costs to construct the walkway are the responsibility of the applicant/owner; and,
- (xvi) That the Owner pay all costs for servicing, etc. on Street A adjacent to Block 55; and,
- (xvii) That the Owner convey Blocks 58, 59, 60 and 61, being 0.30 m wide reserves along Lots 4, 52, 29 and 28 respectively, to the City of Hamilton, by deed, at the time of registration of the Final Plan of Subdivision; and,
- (xviii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xix) That Street "A" be dedicated to the City of Hamilton as a public highway on the Final Plan of Subdivision; and,
- (xx) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,
- (xxi) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton; and,

- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-83003(R)), 822827 Ontario Inc., owner, proposed revised draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the Regional Commissioner of Environment be advised that the City of Hamilton requests that the Draft Approved plan of Subdivision "Wisemount Estates - Phase 8" (Regional File No. 25T-83004) be revised to incorporate a 6.0m wide block, for use as a public walkway, in accordance as shown on the attached map marked as Appendix "E", connecting Block 55 with Lockheed Drive, that the lotting pattern be amended accordingly. In addition, it is requested that the conditions of draft approval be amended to require that the applicant dedicate the subject land as a Public Walkway to the City of Hamilton; and,
 - (d) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
- C. That approval be given to amended Zoning Application ZAC-97-07, 822827 Ontario Inc., owner, for changes in zoning from "DE-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "1"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "2"); from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District (Block "3"); and from "R-4" (Small Lot Single Family) District to "A" (Conservation, Open Space, Parkland and Recreation) District (Block 4) for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, as shown on the attached map marked as Appendix "F", on the following basis:
- (i) That Block "1" be rezoned from "DE-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,
 - (ii) That Block "2" be rezoned from "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,

- (iii) That Block "3" be rezoned from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District; and,
- (iv) That Block "4" be rezoned from "R-4" (Small Lot Single Family) District to "A" (Conservation, Open Space, Parkland and Recreation) District; and,
- (v) That Block "5", for a change in zoning to the established "E-2" (Multiple Dwellings) District, modified, be tabled; and,
- (vi) That the "RT-30" (Street Townhouse - Maisonette) District regulations, as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements; and,
 - (1) That in addition to the requirements of Section 10F.(4)(a) of Zoning By-law No. 6593, a minimum front yard having a depth of not less than 8.0 m to the garage or carport where the lot fronts onto a road allowance that is less than 20.0 m in width shall be provided and maintained; and,
- (vii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1378, and that the Blocks "1" and "2" on Zoning District Map E-59A be notated S-1378; and,
- (viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council; and,
- (ix) That, upon finalization of the implementing zoning by-law, the Lisgar Neighbourhood Plan be amended as follows:
 - (1) that the public highway shown as Street "A" on Appendix "B" be added to the Neighbourhood Plan; and,
 - (2) that Blocks "1" and "2", as shown on Appendix "A" be redesignated from "Medium Density Apartments" to "Attached Housing"; and,
 - (3) that the existing sewer easement/walkway be redesignated from "Open Space" to "Single & Double" and that the

new location of the walkway be designated as "Open Space" and labelled as a "6m Walkway"; and,

- (x) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
3. That Zoning Application 97-01, Vedemo Construction Ltd., owner, requesting a change in Zoning from "RT-20" (Townhouse - Maisonette) District, modified to "DE-2 (Multiple Dwellings) District for lands located west of Donn Avenue and south of Highridge Avenue, to permit two 4-storey apartment buildings with a total of 92 units, as shown on the attached map marked as Appendix "G", be denied for the following reasons:
- (a) It conflicts with the intent of the Official Plan in that:
 - (i) the proposed apartment buildings do not provide for a gradation of density in that the apartment buildings would be adjacent to single detached dwellings; and,
 - (ii) the preferred location for multiple dwellings is at nodes centred at the intersection of arterial and collector roads. The proposed multiple family dwellings would have access from a local road only; and,
 - (b) It conflicts with the approved Neighbourhood Plan in that the subject lands are designated "Attached Housing" on the approved Riverdale East Neighbourhood Plan. The proposed use is consistent with the "Medium Density Apartments" designation. The preferred location for multiple family dwellings is at the intersection of arterial and collector roads.
4. That Item 11.B. of the Nineteenth (1992) Report of the Planning and Development Department to City Council on 1992 November 10, respecting Zoning Application ZAC-92-30 by Mr. and Mrs. E. Ciardullo, for lands at 1468 and 1478 Upper James Street, as shown on the attached map marked as Appendix "H", be amended:
- (a) by deleting 11.B.(a), and replacing it with the following:

"That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, and the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified in accordance with Section 39 of the Planning Act, R.S.O. 1990, to permit the temporary use

of the lands for a garden centre/nursery and related uses until February 28, 1999, subject to the special following provisions:

- (i) That notwithstanding Sections 4(3)a, 7A(1) and 9.(1) of Zoning By-Law 6593, a garden centre and associated parking and an ancillary single family dwelling shall be permitted; and,
 - (ii) That notwithstanding Sections 7A(1) and 9.(1) of Zoning By-Law 6593, a business identification sign shall be permitted in accordance with the requirements of Section 13.(1)(xv) of Zoning By-Law 6593, and a ground sign shall be permitted in accordance with the requirements of paragraph two of Section 14A.(3)(a) of Zoning By-Law 6593; and,
 - (iii) That notwithstanding the provisions of Section 9(3)(ii) of Zoning By-law 6593, a southerly side yard of 0.0m is permitted for the accessory single family dwelling; and,
 - (iv) That notwithstanding the provisions of Section 18A (14a) of Zoning By-law No. 6593, parking may be provided in the required front yard and not less than 40% of the gross area of the front yard shall be used for landscaped area; and,
 - (v) That notwithstanding the provisions of Section 18A (26) of Zoning By-law 6593, the access driveway may be 0.0m from the southerly boundary line of Block "B"; and,
 - (vi) A landscape strip having a minimum width of 1.5m shall be provided and maintained along the northerly boundary of Blocks "A" and "B"; and,
 - (vii) That a minimum 6.0m wide landscape strip shall be provided and maintained along the westerly boundary of Block "A"; and,
 - (viii) That a fence not less than 1.2m and not more than 2.0m in height shall be provided and maintained along the westerly and northerly boundary of Block "A"; and,
 - (ix) That Section 18A (30) of Zoning By-law 6593 shall not apply."; and,
- (b) by adding a new clause 11.E as follows:

"That the temporary use and the temporary use by-law shall terminate on February 28, 1999."

5. That Item 1 of the 6th Report of the Planning Development Committee, approved by Council at its meeting of 1997 April 8, regarding Charity Gaming Clubs, Table Games and Video Lottery Terminals, be amended by deleting the original Appendix "A" and replacing it with a new Appendix "A" as attached hereto and marked as Appendix "I".
REPLACED.
6. That the City Solicitor be directed to prepare an amendment to Mobile Sign By-law 97-026 to extend the non-collection of fees to Friday, 1997 June 13.
7.
 - (a) That due to extenuating circumstances as a result of limited road access caused by the reconstruction of roads in the East Mountain Industrial Business Park, staff enforce, on a complaint basis only, the Mobile Sign By-law in the East Mountain Industrial Park, East of Upper Ottawa Street to the City limits (but not including those establishments fronting onto Upper Ottawa Street), south of Stonechurch Road and North of Rymal Road; and,
 - (b) That this direction be valid only for the period of construction causing limited road access or 1997 October 31st or whichever should occur later.
8. That Schedule 'B' of By-law No. 97-057, appointing the Downtown Hamilton B.I.A.'s Board of Management be repealed and the following names substituted:

SCHEDULE 'B'

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House
A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, GowlingInc.
R. Sorenson	Sundried Tomatoes

9. That the Building Commissioner be authorized to issue demolition permits for the following addresses in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended:

637 Rosseau Road
120 Sanford Avenue North

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13

NAYS: Aldermen Kiss, Eisenberger, Collins. -3.

CARRIED.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of nine hundred and twenty dollars (\$920) be approved for Mae Golden, 203 Strathearne Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

11. (a) (i) That a secured loan in the amount of fifty-five thousand and twenty-three dollars (\$55,023) to Edith Hoare, carrying on business as Orthopaedic Services, for improvements to 280 1/2 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twenty-five thousand dollars (\$25,000) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program; and,

- (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of ten thousand dollars (\$10,000) to Edith Hoare, carrying on business as Orthopaedic Services, exterior storefront improvements to 280 1/2 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

- (ii) That a grant from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

12. (a) That the budget as outlined in Appendix "J" be approved for a Festival (Streetscaping Ground Breaking Ceremony) to be held 1997 April 18; and,

(b) That the City Treasurer be authorized and directed to forward \$2264.81 (\$2831 -20% holdback) for the Festival (Streetscaping Ground Breaking Ceremony)to the Barton Street B.I.A.. The outstanding balance of \$566.20 to be forwarded upon submission of a statement of account.

13. (a) That Item 4 of the Planning and Development Committee Report 14-94, approved by Council on 1994 October 11, regarding approval of the cash payment in lieu of 5% parkland dedication in the amount of \$18,000 for "Sheldon Estates" be rescinded and replaced with Item (b) below; and,

(b) That the City of Hamilton accept the sum of \$25,300 as a cash payment in lieu of the 5% land dedication in connection with "Sheldon Estates", Hamilton, being the cash payment required under Section 51 of the Planning Act.

14. (a) That the Chairman or his designate attend the 1997 Canadian Institute of Planner Conference in St. John's, Newfoundland, 1997 July 20-23 and the 1997 Ontario Professional Planners Institute Conference in Windsor, Ontario, 1997 August 20-23; and,

(b) That costs for attendance be allocated to Alderman Travel account No. CH55201 10010 from the 1997 Operating Budget.

15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

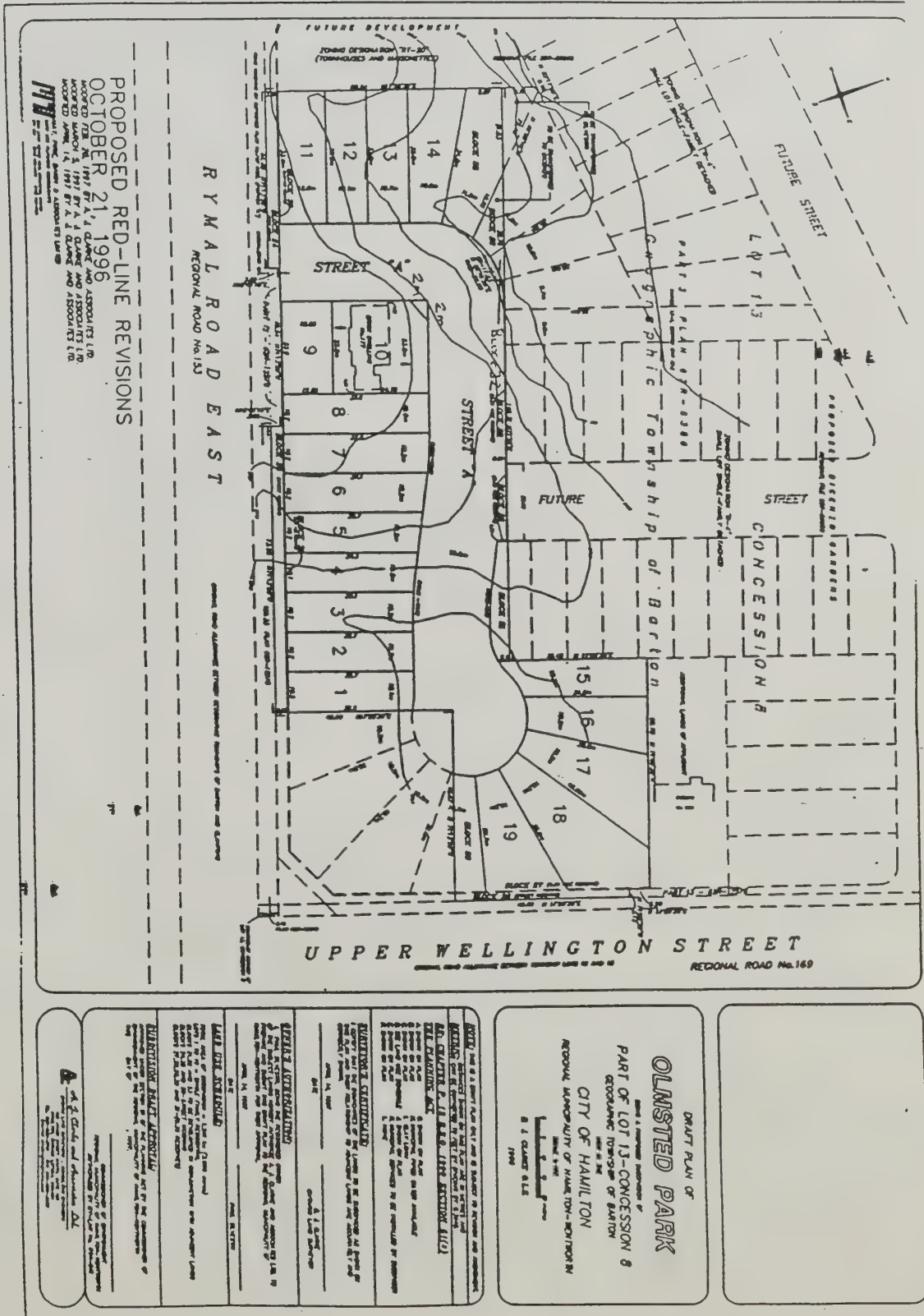
(a) C-23 A By-law to Amend Zoning By-law No. 6593:
 1. To Define "Charity Gaming Club", "Table Games" and "Video Lottery Terminals (VLT)"
 2. To Permit a Charity Gaming Club and Video Lottery Terminals Within the Downtown Area. REPLACED.
(b) C-24 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 350-360 King Street East.

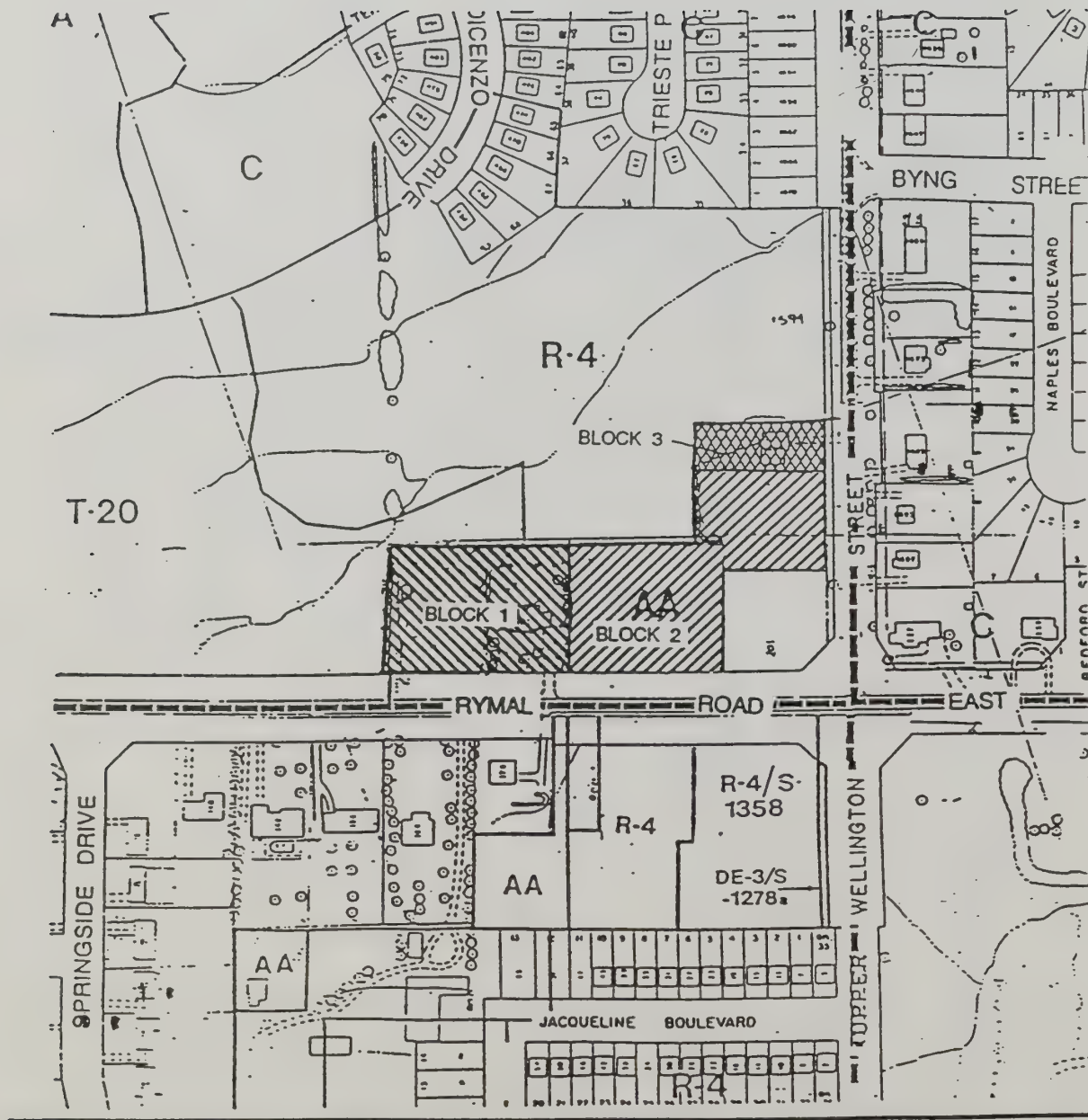
- (c) C-25 A By-law to Amend By-law No. 97-026 Respecting A By-law to Regulate the Size, Use, Location and Maintenance of Mobile Signs on Private Property Within the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 April 23**

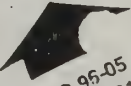




Legend

Proposed change in zoning :

- | | | |
|---------|---|--|
| BLOCK 1 |  | "AA" (Agricultural) District, to "R-4"
(Small Lot Single Family Dwelling) District. |
| BLOCK 2 |  | "AA" (Agricultural) District to "R-4" -"H"
(Small Lot Single Family Dwelling- Holding) District |
| BLOCK 3 |  | "AA" (Agricultural) District, to "C"
(Urban Protected Residential, etc) District |


ZAC-95-05
SAC-96-01

PLAT MAP OF
MISEMOUNT ESTATES
HAMILTON, ONTARIO

EXISTING RECORDS
FUTURE LOTS WESTMOUNT

STREET 'A'

LOCHRED DRIVE

PARK BLOCK 68

REGISTERED PLAN NO. 62M-745

REGISTERED PLAN NO. 62M-744

REGISTERED PLAN NO. 62M-722

REGISTERED PLAN NO. 62M-745

LAND USE SCHEDULE

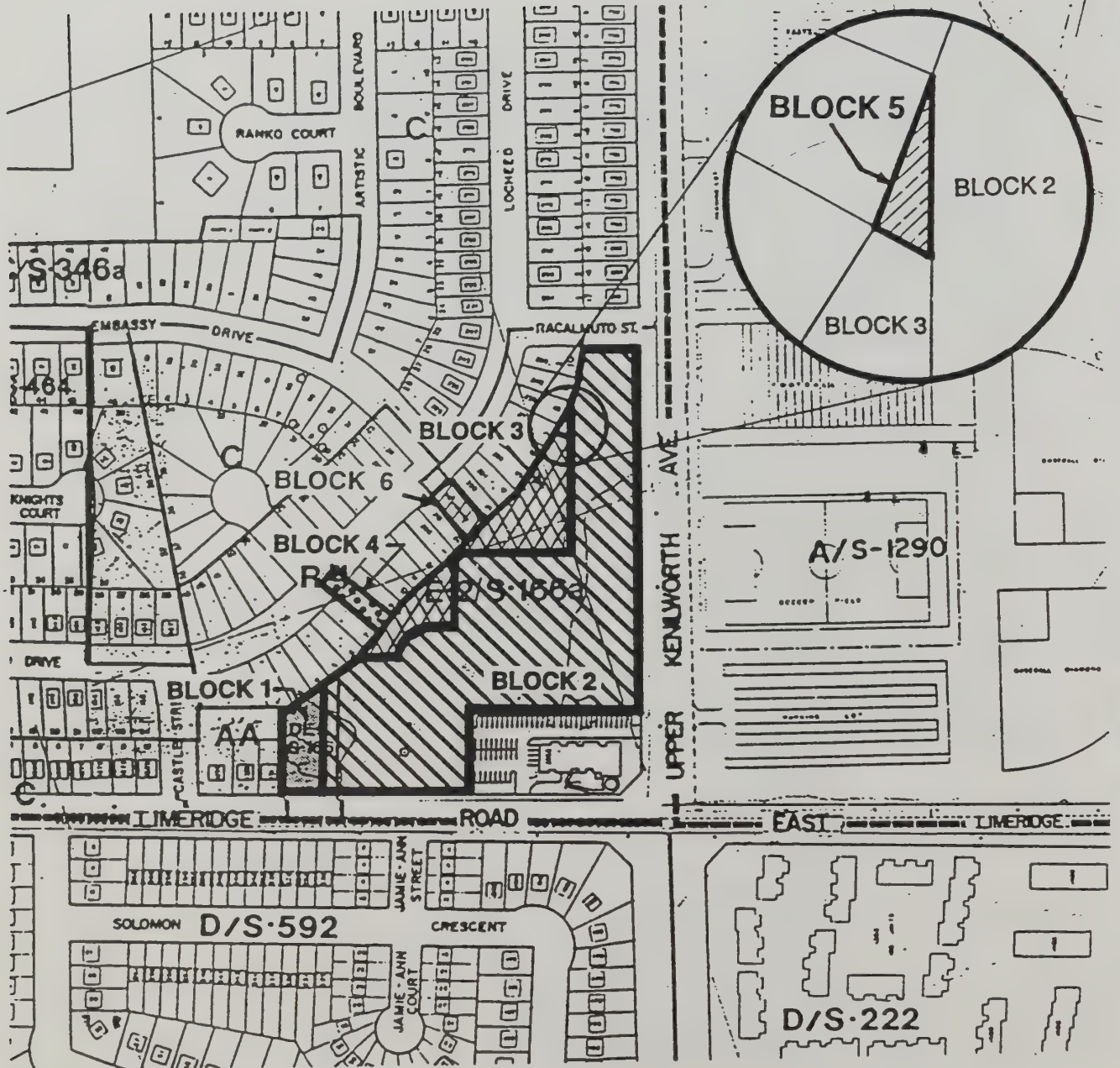
Lot No.	Area (sq. ft.)	Area (sq. m.)	Use	Schedule
1	1,000	0.09	Residential	1
2	1,000	0.09	Residential	1
3	1,000	0.09	Residential	1
4	1,000	0.09	Residential	1
5	1,000	0.09	Residential	1
6	1,000	0.09	Residential	1
7	1,000	0.09	Residential	1
8	1,000	0.09	Residential	1
9	1,000	0.09	Residential	1
10	1,000	0.09	Residential	1
11	1,000	0.09	Residential	1
12	1,000	0.09	Residential	1
13	1,000	0.09	Residential	1
14	1,000	0.09	Residential	1
15	1,000	0.09	Residential	1
16	1,000	0.09	Residential	1
17	1,000	0.09	Residential	1
18	1,000	0.09	Residential	1
19	1,000	0.09	Residential	1
20	1,000	0.09	Residential	1
21	1,000	0.09	Residential	1
22	1,000	0.09	Residential	1
23	1,000	0.09	Residential	1
24	1,000	0.09	Residential	1
25	1,000	0.09	Residential	1
26	1,000	0.09	Residential	1
27	1,000	0.09	Residential	1
28	1,000	0.09	Residential	1
29	1,000	0.09	Residential	1
30	1,000	0.09	Residential	1
31	1,000	0.09	Residential	1
32	1,000	0.09	Residential	1
33	1,000	0.09	Residential	1
34	1,000	0.09	Residential	1
35	1,000	0.09	Residential	1
36	1,000	0.09	Residential	1
37	1,000	0.09	Residential	1
38	1,000	0.09	Residential	1
39	1,000	0.09	Residential	1
40	1,000	0.09	Residential	1
41	1,000	0.09	Residential	1
42	1,000	0.09	Residential	1
43	1,000	0.09	Residential	1
44	1,000	0.09	Residential	1
45	1,000	0.09	Residential	1
46	1,000	0.09	Residential	1
47	1,000	0.09	Residential	1
48	1,000	0.09	Residential	1
49	1,000	0.09	Residential	1
50	1,000	0.09	Residential	1
51	1,000	0.09	Residential	1
52	1,000	0.09	Residential	1
53	1,000	0.09	Residential	1
54	1,000	0.09	Residential	1
55	1,000	0.09	Residential	1
56	1,000	0.09	Residential	1
57	1,000	0.09	Residential	1

DEVELOPMENT REGULATIONS

Lot No.	Area (sq. ft.)	Area (sq. m.)	Use	Regulations
1	1,000	0.09	Residential	1
2	1,000	0.09	Residential	1
3	1,000	0.09	Residential	1
4	1,000	0.09	Residential	1
5	1,000	0.09	Residential	1
6	1,000	0.09	Residential	1
7	1,000	0.09	Residential	1
8	1,000	0.09	Residential	1
9	1,000	0.09	Residential	1
10	1,000	0.09	Residential	1
11	1,000	0.0		

25T-83004 REVISED

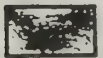
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Legend

CHANGE IN ZONING :

BLOCK 1



From "DE-2" (Multiple Dwellings) District,
modified to "RT-30" (Street - Townhouse)
District

BLOCK 2



From "E-2" (Multiple Dwellings) District,
modified to "RT-30" (Street - Townhouse)
District

BLOCK 3



From "DE-2" (Multiple Dwellings) District, modified to
"A" (Conservation, Open Space, Parkland and Recreation) District

BLOCK 4



From "R-4" (Small Lot Single Family)
District, modified to "A" (Conservation,
Open Space, Parkland and Recreation)
District

BLOCKS 5 & 6



From "E-2" (Multiple Dwellings) District,
to "R-4" (Small Lot Single Family) District

Reference File No.

ZAC-97-07

Drawn By

Date

W. B.

April 1997

Scale

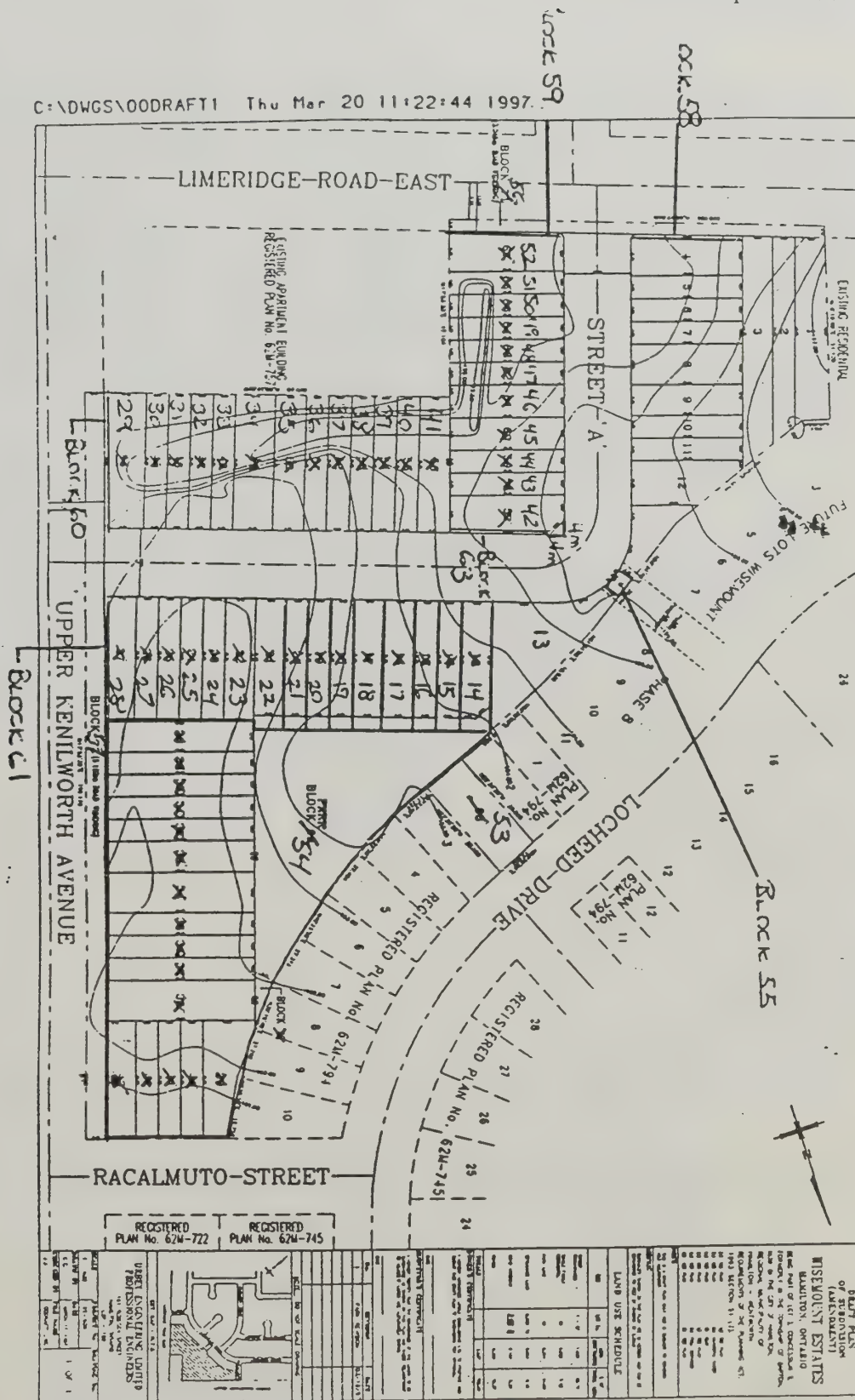
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North



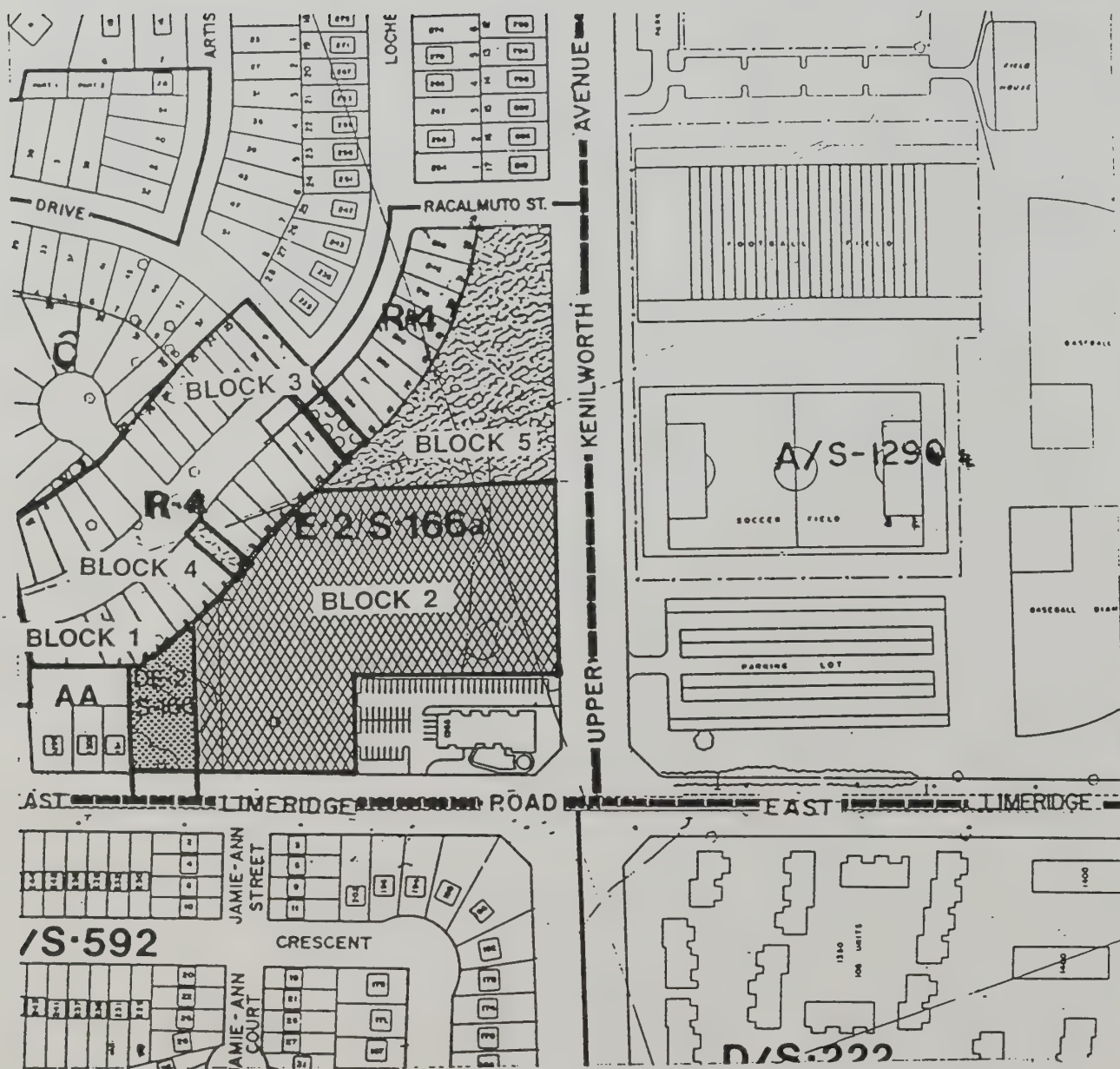
1997 April 29

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25T-83004 REVISED

4/2



Legend CHANGE IN ZONING :

BLOCK 1		From "DE-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District
BLOCK 2		From "E-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District
BLOCK 3		From "DE-2" (Multiple Dwellings) District, modified to "A" (Conservation, Open Space, Parkland and Recreation) District
BLOCK 4		From "R-4" (Small Lot Single Family) District, modified to "A" (Conservation, Open Space, Parkland and Recreation) District
BLOCK 5		Consideration of change in zoning from "E-2" (Multiple Dwellings) District, modified, tabled for further review

Reference File No
ZAC-97-07

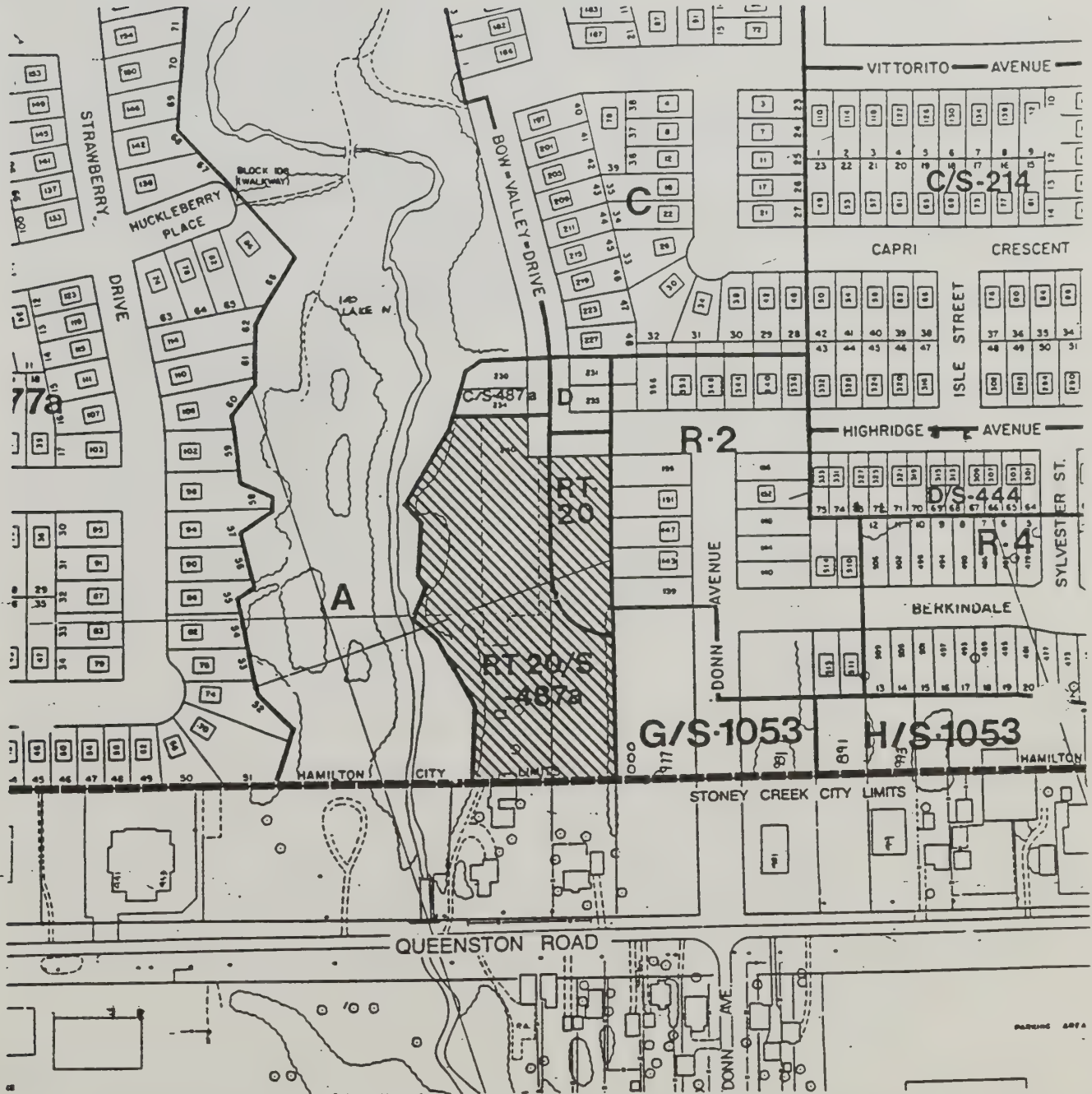
Drawn By	Date
W. B.	April 1997

Scale

Not to Scale

North



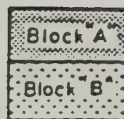
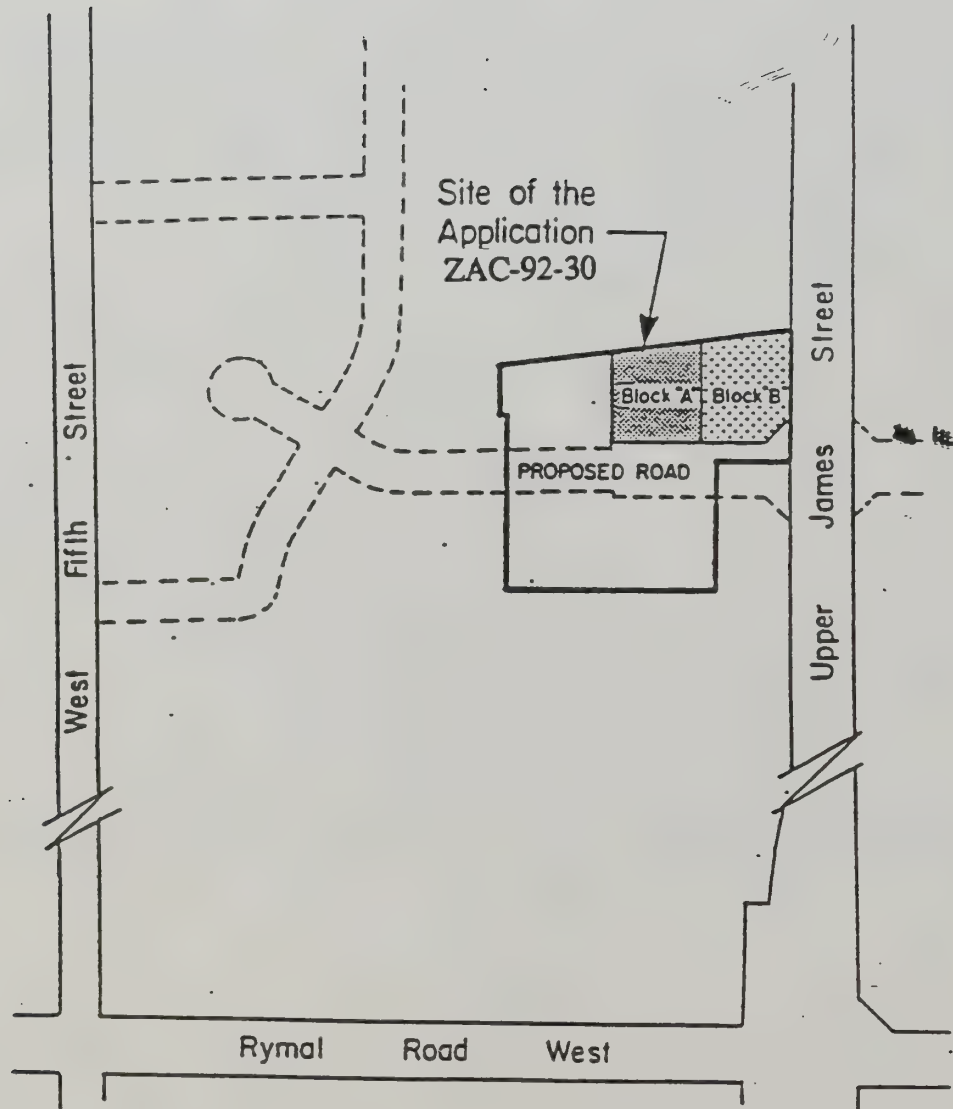


Legend



Site of the Application

ZAC-97-01



Legend

Proposed Modification to the established "AA" (Agricultural) District Regulations

Proposed Modification to the established "C" (Urban Protected Residential, etc.)
District Regulations

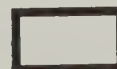


City of Hamilton

Appendix "A"

Planning and Development Department

Legend



LOCATION OF CHARITY GAMING CLUBS
(Refer to specific districts in Zoning By-Law)

North



Scale
NOT TO SCALE

Date
April 29, 1997

Reference File No.

CI 96-G

Drawn By

W. B.

Schedule A

STREETSCAPING GROUND BREAKING CEREMONY

AND

CLEAN/PRIDE CAMPAIGN

Advertising/Invitations	\$ 500.00	44
Flyer Distribution	300.00	
Tent	175.00	
Food/Sundries	100.00	
Cleaning Items	621.00	
BBQ Tank	10.00	
Risers	30.00	
Audio	125.00	
Miscellaneous	100.00	
Draw Prize	300.00	
SUB-TOTAL	<u>\$2,361.00</u>	
Contingency	470.00	
TOTAL	<u>\$2,831.00</u>	

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1997 and respectfully recommends:

1.
 - (a) That the 1997 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed in Column (6) on the "Comparison of Components and Total Mill Rates for the years 1993 to 1997 inclusive", attached herewith and marked Appendix "A"; and,
 - (b) That the by-laws to fix the rates of taxation for Municipal, Regional, School, and total rates of taxation for the year 1997 be approved; and,
 - (c) That the by-law to levy an annual tax on telephone companies doing business in Ontario be approved.
2.
 - (a) That approval be granted to the Hamilton Civic Hospitals & Chedoke-McMaster Foundations to use the Hamilton Farmers' Market on Saturday, 1997 September 20 to host a Charity Fund Raising Gala in support of equipment for the Hamilton Health Sciences Corporation; and,
 - (b) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations provide proof of insurance in the amount of \$5 million naming the City of Hamilton as an insured and further that this insurance carry a Host Liquor Liability Endorsement; and,
 - (c) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be permitted to serve liquor and wine at their event and that it be their responsibility to apply to the Ontario Liquor Control Board for the required liquor and wine permits; and,
 - (d) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required to comply with all applicable Provincial and Municipal regulations with respect to building, fire and health considerations associated with the hosting of their event; and,

- (e) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required, at their own expense, to return the Hamilton Farmers' Market to its original condition prior to their event and further that they be required to satisfy all reasonable requests of the Hamilton Farmers' Market Stallholders Association with respect to protection of stallholder assets during their event.
- 3. That the legal and consultant's fees and disbursements of the former owners of 13.16 acres, expropriated by the City at Limeridge Road East (J. Petis, trustee), be settled in the amount of \$118,500. Compensation for the expropriated land was previously approved by City Council on 1992 July 28, (Section 14 of the Fourteenth Report for 1992 of the Parks and Recreation Committee).
- 4. (a) (i) That a new Agreement with Carmen's Catering Ltd. to replace the previous Licence Agreement between Carmen's Catering Ltd. and The Corporation of the City of Hamilton, dated 1992 January 15, for the provision of food services at the City Hall cafeteria, which contained a provision in favour of the City to grant in its sole and unfettered discretion, an extension of the term of the Agreement, for a further three (3) and two (2) year terms be entered into for a term of three (3) years from 1997 April 6 to 2000 April 5, on the following terms and conditions:
 - (1) Carmen's shall pay to the City a basic monthly fee of \$500 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, when the gross sales realized from the cafeteria and catering facets of the operation fall between \$0 and \$200,000. This fee structure will apply to the following nine (9) months of each year during the term: January, February, March, April, May, June, September, October and November; and,
 - (2) Carmen's shall pay to the City a basic monthly fee only of \$250 per month, plus business and realty taxes which are assessed against the cafeteria area, when the gross sales realized from the cafeteria and catering facets of the operation fall between \$0 and \$225,000. This fee structure will apply to the following three (3) months of each year during the term: July, August, and December; and,

- (3) Carmen's shall pay to the City a basic monthly fee of \$750 per month for the nine (9) months referenced in (a) (i) (1). above, plus five percent (5%) of cafeteria sales, plus business and realty taxes which are assessed against the cafeteria area, when gross sales realized from the cafeteria and catering facets of the operation fall between \$200,000 and \$225,000 per annum; and,
 - (4) Carmen's shall pay to the City a basic monthly fee of \$750 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, for the entire twelve (12) months of the year, when the gross sales realized from the cafeteria and catering facets of the operation fall between \$225,000 and \$250,000 per annum; and,
 - (5) Carmen's shall pay to the City a basic monthly fee of \$1,000 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, for the entire twelve (12) months of the year, when the gross sales realized from the cafeteria and catering facets of the operation exceeds \$250,000 per annum; and,
 - (6) The annual gross sales realized by Carmen's from the cafeteria and catering facets of the operation will be those sales realized during each annual term of this Licence Agreement with the City commencing 1997 April 6, as verified, if requested by the City, by an independent accounting firm of Carmen's, at its expense, by May 30 of each year, following which any adjustment in fees will be made upward or downward and become due and payable by either party to the other within ten days following the said May 30 date; and,
- (ii) That all other terms and conditions of the 1992 January 15, Licence Agreement between Carmen's and the City shall remain the same; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute on behalf of the City, an Agreement with Carmen's Catering Ltd. which is in a form satisfactory to the City Solicitor.

5. That purchase orders be issued for the supply and delivery of Annual Supplies for various City Departments as and when required during 1997, in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

(a) Aggregates

<u>Supplier</u>	<u>Material</u>	<u>Unit Pricing</u>	<u>Unit Pricing</u>
		Tractor Trailer	Tri-Axle Tandem
1. Cayuga Materials	Granular 'A'	\$ 7.34	\$ 8.34
2. Lakeview Sand & Gravel	Granular 'A'	7.60	9.60
3. Taro Aggregates Ltd.	19mm Clear	8.50	8.50
4. TCG Materials	9.5mm Chips Washed	11.45	12.70
5. Taro Aggregates Ltd.	53mm Clear	8.50	9.50
6. Redland Quarries	#8 Dust Suppressed Grits	28.60	29.10
7. Flamboro Quarries	Athlete Field Lime	14.95	15.55
8. Cayuga Materials	19mm Crusher Run	7.34	8.34
9. Redland Quarries	19mm Crusher Run	7.65	8.15
10. Cayuga Materials	53mm Crusher Run	7.34	8.34
11. Vinemount Quarries	Rubble Stone	9.75	10.25
12. Vinemount Quarries	75-200mm Gabion Stone	11.00	11.50
13. Cayuga Materials	9.5mm Screenings	7.66	8.66
14. Taro Aggregates Ltd.	9.5mm Screenings	8.00	8.00
15. Redland Quarries	9.5mm Screenings	8.00	8.50

* Note that all prices are on a per tonne basis. GST and PST extra where applicable.

(b) Mixed Portland Cement Concrete

<u>Sidewalk, Curb & Roadway Concrete</u>	<u>Delivered</u>	<u>Picked Up</u>
Dufferin Concrete Products	\$ 99.55	\$ 92.00
Lafarge Construction Material	96.25	79.00
CBM Concrete	103.00	103.00

Unshrinkable Fill

Dufferin Concrete Products	\$52.00	\$ 45.00
CBM Concrete	48.00	no quote
Lafarge Construction Material	52.50	50.00

* Note that all prices are on a cubic metre basis.

(c) Asphaltic Concrete and Bituminous Materials

Asphalt Surface Course (H.M.3)

Capital Paving	picked up	\$ 40.55
Lafarge Construction Materials	picked up	43.25
Cayuga Materials & Construction Co. Ltd.	picked up	44.00

Asphalt Binder Course (H.M.5)

Cayuga Materials & Construction Co. Ltd.	picked up	\$ 42.50
Lafarge Construction Materials	picked up	43.00
Capital Paving	picked up	44.50

HLS030 Hot Lay, HL-3(HS) Asphalt

Cayuga Materials & Construction Co. Ltd	picked up	\$ 43.00
Capital Paving	picked up	44.75
Lafarge Construction Materials	picked up	43.50

Cationic Asphalt Emulsions CRS-2

Norjohn Ltd.		0.3075
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Additional Cost to Supply a Tank for Duration of Contract

Norjohn Ltd.		No Charge
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Cationic Asphalt Emulsions CRS-2

Norjohn Ltd.	CRS-2	delivered	0.3075
McAsphalt Ltd.	CRS-2 Latex Modified	delivered	0.3600

Hot Liquid Asphalt

Lafarge Construction Materials	picked up	\$ 5.00L
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Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials	picked up	\$ 56.95
Innovative Municipal	picked up	45.00
Cayuga Materials	QPR2000 Fine	picked up 68.00

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials, Brantford	delivered	\$ 59.95
Innovative Municipal	delivered	49.95
Cayuga Materials	QPR2000 Fine	delivered 75.00

Crack Sealing Material
McAsphalt Industries Ltd

delivered .2794/lb.

* Note that all prices are on a per tonne basis unless otherwise noted.

(d) Chemicals

Da-lee Dust Control

Flake Calcium Chloride

delivered \$0.4300

Liquid Calcium Chloride

delivered \$0.1320

* Note that all prices are per KG.

* GST and PST extra where applicable in all sections.

6. That as referenced in Section 12 of the Fourth Report for 1997 of the Parks and Recreation Committee, a contribution up to an amount of \$16,100 to assist in defraying the costs of the Special Opening Ceremonies celebrating the 40th CANUSA Games in Hamilton, 1997 August 8, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 54307 80040.
7. That By-law No. 9430 be amended to release from expropriation the lands at 206 Dumbarton Avenue being Parcel E, Plan 597, save and except Part 1 on 62R-8118 and Part 1 on 62R-6273, City of Hamilton, Regional Municipality of Hamilton-Wentworth.
8. That the Sick Leave By-law 7530 be amended to allow employees to utilize one tenth of a day from the employee's sick leave credit bank to offset deductions under the Attendance Management Plans and Disability Plans.
9. That a By-law to enact the 1997 Culture and Recreation Department User Fees be enacted.
10. That a By-law to enact the Planning Fees Tariff be enacted.
11. That a By-law to enact user fees for the Hamilton Fire Department be enacted.

12. That a purchase order be issued to Universal Handling Equipment Company Ltd., Hamilton, in the amount of \$200,150 including all applicable taxes and trade in, for the replacement of two (2) Truck Chassis complete with Refuse Packers units #9125 and 9126 for Fleet Services, being the only tender received in accordance with specifications issued by the Purchasing and Vendor's tender, and be financed through the 1996 Vehicle Replacement Programme Account Centre CF 649651019.
13. That a purchase order be issued to Wajax Industries Ltd., Mississauga, in the amount of \$164,022, including all applicable taxes and trade-in, for the replacement of one (1) Truck Chassis complete with Aerial Device and Chip Box unit #9630 for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
14. (a) That the City of Hamilton Licensing By-law #93-069, respecting Taxicabs, be amended to require that the Ontario Human Rights Code be posted prominently at all taxi brokerages; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.
15. That approval be given to the request from The Hamilton Mundialization Committee that Hamilton twin/mundialize with the City of Nazareth, Israel.
16. That the 1997 Levy By-laws for the seven (7) Business Improvement Areas in the City of Hamilton be approved in the amounts as follows:

<u>Business Improvement Areas</u>	<u>1997 Levy</u>
Barton General	\$ 8,760
Westdale	35,000
International Village	53,500
Ottawa Street North	50,000
Concession Street	10,100
Downtown Promenade	84,000
Main Street West	10,000
	AMENDED.

17. That the City Solicitor, on behalf of the City of Hamilton, be authorized to initiate an Application under the Cemeteries Act to declare the Young Family Cemetery, located at 1541 Upper Wellington Street, abandoned.
18. (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
 - (ii) 56 Kenilworth Avenue North, Car Park #30
- (b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.
19. (a) That an Offer to Purchase Agreement, duly executed by Ron Van Kleef, on 1997 April 2 and scheduled to close on or before 1997 October 30, for the lands municipally described as 467 Charlton Avenue East, being part of Lots 11 and 12, Concession 3, in the geographic Township of Barton; Parcel 17, part of Parcel 18 and part of Parcel 29, as in Book 223A, City of Hamilton, Regional Municipality of Hamilton-Wentworth, being an irregular shaped parcel containing 1.18 hectares (2.91 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$150,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That the required deposit cheque in the amount of \$15,000 be held by the City Treasurer pending Council approval; and,
- (c) That upon successful completion of this sale, a real estate commission of 5% on the first \$100,000 and 4% on the remaining \$50,000 sale price be paid to Cupido Realty & Insurance Ltd. (Sales Representative Mario Cupido), who acted in this matter; and,
- (d) That the Offer to Purchase be subject to conditions, for the benefit of the Purchaser, so that the Purchaser may:
 - (i) At his expense satisfy himself as to the cost to demolish the existing building, prior to 1997 May 31; and,

- (ii) At his expense, make investigations to satisfy himself as to the quality of soils and environmental condition of the property, prior to 1997 June 28; and,
 - (iii) At his expense, obtain approval to legally operate a taxi business on/from the subject property, which may necessitate a rezoning, prior to 1997 October 1; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (f) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 April 22; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
20. (a) That the current lease with the Hamilton Press Club be terminated; and,
- (b) That the Corporation of the City of Hamilton enter into a lease at 58 Jackson Street West with Canadian Super Party Inc. (Terry O'Donnell) on a month to month basis for a three (3) month period commencing 1997 April 1; and,
- (c) That the lease for the above space contain the following terms and conditions:
- (i) Premises: The leased premises are located in the basement of 58 Jackson Street West, and comprises of 1,406 square feet (formerly occupied by Press Club) and is to be used as a private club; and, **AMENDED.**
 - (ii) Term: Short term lease on a month to month basis up to a three (3) month period to commence on 1997 April 1. The Hall of Fame Management Committee will consider at a future meeting whether to grant this tenant a three (3) year lease at which time a further report will be forwarded to the Finance and Administration Committee for consideration; and,

- (iii) Rent: \$10.50 per square foot (modified gross) \$1,230.25 per month. This rate includes realty taxes based on the existing assessment. If the assessment was to increase then the tenant must pay the additional tax amount. The Tenant must also pay for hydro, water, heat, janitorial service and provide proof of insurance as required by the City of Hamilton in amounts satisfactory to the City Solicitor. The first month rent is to be paid in advance; and,
 - (iv) Additional Terms:
 - (1) The tenant must pay for the costs of fixing the existing exhaust fan in order to ensure that cigarette smoke does not provide a continued hazard to the Hall of Fame collections; and,
 - (2) The tenant will be assessed a \$100 fee for every time the alarm is triggered for this leased area so as to cover the cost of staff and police charges for each alarm received; and,
 - (d) That the Mayor and City Clerk be authorized to execute a short term lease agreement in a form satisfactory to the City Solicitor.
- 21.
 - (a) That an Offer to Purchase (Tender Form), duly executed by Teresa Zampini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 2 on Plan 62R-13294, having a frontage of 15.370 metres (50.42 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 541.8 square metres (5,832.0 square feet) more or less, municipally known as 92 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$51,511 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
 - (b) That the required deposit cheque in the amount of \$5,151.10 be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

- (d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

- 22. (a) That an Offer to Purchase (Tender Form), duly executed by Mark Pillinini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 1 on Plan 62R-13294, being irregular in shape and having a frontage of 9.244 metres (30.0 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 542.7 square metres (5,841.8 square feet) more or less, municipally known as 88 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$46,100 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That the required deposit cheque in the amount of \$4,610 be held by the City Treasurer pending Council approval; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

- (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
- 23.
- (a) That an Offer to Purchase to be executed by 2871220 Canada Limited (Home Depot) and scheduled to close on or before 1997 September 12, for the lands being part of Parcel "A" and "B" on Registered Plan 1332, formerly in the Township of Saltfleet, now in the City of Hamilton, being the northerly 128.0 metres (420 feet) more or less, of the westerly 4.724 metres (15.5 feet) of Parcel "B" and save and except the most southerly 10.07 metres (33 feet) more or less, of said Parcel "A", and comprising a total area of 644.99 square metres (6,942.87 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a Survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$43,810 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
 - (b) That the required deposit cheque in the amount of \$4,381 be held by the City Treasurer pending Council approval; and,
 - (c) That it be understood and agreed that the Offer to Purchase be conditional on the following:
 - (i) The herein Offer be conditional until closing upon the successful conclusion of the Committee of Adjustment minor variance application (A-97:21) and passing of any appeal period applicable hereto and the Purchaser acknowledges that the decision of the Committee of Adjustment of 1997 February 19 has been appealed to the Ontario Municipal Board; and,
 - (ii) The purchase price be calculated at the rate of \$6.31 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser not less than seven (7) days prior to the date of closing. If the survey determines the area of the subject property to be more or less than 6,942.87 square feet, the purchase price shall be increased or decreased accordingly; and,

- (iii) It shall be required to obtain site plan approval in connection with the subject property and the adjacent development. The Purchaser acknowledges and agrees that grading requirements (i.e. flood control), satisfactory to the Vendor in its capacity as municipality, shall be imposed in respect of the property. The Vendor agrees to provide to the Purchaser an Authority to Enter over its adjacent parcel to the east should same be required to effect such grading requirements; and,
 - (iv) The Purchaser shall complete the grading and associated works on the subject property in compliance with the above noted site plan by no later than 1998 December 31; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
 - (e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,
 - (iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
24. (a) That an Offer to Purchase, duly executed by Julius Kohl on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 65 Covington Street, Hamilton, having an area of 101.17 square metres (1,089 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$2,180 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

- (b) That the required deposit cheque in the amount of \$218 be held by the City Treasurer pending Council approval; and,
- (c) That it be understood and agreed that the Offer to Purchase be conditional on the following:
 - (i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,
 - (ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 65 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,
 - (iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,
 - (iv) The purchase price be calculated at the rate of \$2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,089 square feet, the purchase price shall be increased or decreased accordingly; and,

- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
25. (a) That an Offer to Purchase, duly executed by The Estate of Philip Doyle (Mike Doyle) on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 75 Covington Street, Hamilton, having an area of 179.34 square metres (1,930.5 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$3,860 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That the required deposit cheque in the amount of \$386 be held by the City Treasurer pending Council approval; and,
 - (c) That it be understood and agreed that the Offer to Purchase be conditional on the following:
 - (i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit

the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

- (ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 75 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,
- (iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,
- (iv) The purchase price be calculated at the rate of \$2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,930.5 square feet, the purchase price shall be increased or decreased accordingly; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

- (iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

26. (a) That an Offer to Purchase, duly executed by Lorraine Doyle on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 79 Covington Street, Hamilton, having an area of 153.28 square metres (1,650 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$3,300 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That the required deposit cheque in the amount of \$330 be held by the City Treasurer pending Council approval; and,
- (c) That it be understood and agreed that the Offer to Purchase be conditional on the following:
- (i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,
 - (ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 79 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

- (iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,
 - (iv) The purchase price be calculated at the rate of \$2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,650 square feet, the purchase price shall be increased or decreased accordingly; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
27. (a) That an Offer to Purchase, duly executed by Douglas Samson and Betty Samson on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 95 Covington Street, Hamilton, having an area of 350.32 square metres (3,770.9 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements

in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$7,540 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

- (b) That the required deposit cheque in the amount of \$754 be held by the City Treasurer pending Council approval; and,
- (c) That it be understood and agreed that the Offer to Purchase be conditional on the following:
 - (i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,
 - (ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 95 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,
 - (iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

- (iv) The purchase price be calculated at the rate of \$2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 3,770.9 square feet, the purchase price shall be increased or decreased accordingly; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
- 28.
 - (a) That \$175,000 be allocated to purchase a Fleet Management Information System, including \$130,000 for software and licencing, Marcam Corporation and \$45,000 for computer hardware, this being the City of Hamilton's portion of the joint purchase between the City and the Region; and,
 - (b) That the funds be allocated from the Reserve for Replacement of Mobile Equipment, the money created by forecasting and will not impact the approved 1997 budget allotment; and,
 - (c) That the tender be awarded to Marcam Corporation, the lowest estimated acquisition cost.
- 29. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-16 A By-law to Fix the Rates of Taxation for Municipal Purposes for the Year 1997.

- (b) D-17 A By-law to Fix the Rates of Taxation for Regional Purposes for the Year 1997.
- (c) D-18 A By-law to Fix the Rates of Taxation for School Purposes for the Year 1997.
- (d) D-19 A By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1997.
- (e) D-20 A By-law to Levy: An Annual Tax on Telephone Companies doing Business in Ontario Respecting: The Bell Telephone Company of Canada.
- (f) D-21 A By-law to Authorize the Amendment of By-law No.9430 in Respect of the Expropriation of Certain Lands.
- (g) D-22 A By-law to Amend By-law No. 7530 The Sick Leave By-law.
- (h) D-23 A By-law to Amend By-law No. 96-039 Respecting: Culture and Recreation Department User Fees.
- (i) D-24 A By-law Respecting: Tariff of Planning Fees.
- (j) D-25 A By-law Respecting: A By-law to Enact User Fees for The Hamilton Fire Department.
- (k) D-26 A By-law to Authorize: The Levy of a Special Charge in respect of: The Concession Street Business Improvement Area generally comprised of Lands covering Concession Street between East 18th Street and East 25th Street.
- (l) D-27 A By-law to Authorize: The Levy of a Special Charge in respect of: Westdale Village Business Improvement Area generally covering King Street West and the Area of the Intersection of Cline Avenue and King Street West and extending to an area West of Newton Avenue and Sterling Street.
- (m) D-28 A By-law to Authorize: The Levy of a Special Charge in respect of: The Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an area North of Barton Street East.

- (n) D-29 A By-law to Authorize: The Levy of a Special Charge in respect of: The Main Street West Esplanade Business Improvement Area generally comprised of Lands on the East and West Sides of Main Street West between Locke Street on the West and Queen Street on the East.
- (o) D-30 A By-law to Authorize: The Levy of a Special Charge in respect of: Barton Street East #1 Business Improvement Area generally covering both sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.
- (p) D-31 A By-law to Authorize: The Levy of a Special Charge in respect of: The Downtown Hamilton Business Improvement Area generally covering the Area between King William Street, Mary Street, Main Street East and James Street.
- (q) D-32 A By-law to Authorize: The Levy of a Special Charge in respect of: The International Village Business Improvement Area generally covering both Sides of King Street East between Mary Street and Wellington Street North.
- (r) D-33 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
- (s) D-34 A By-law to Authorize the 1997 Debenture Projects and Amounts. **ADDED.**

30. That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved. **CARRIED. REFERRED TO THE FINANCE AND ADMINISTRATION COMMITTEE.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 April 22**

City of Hamilton
Treasury

**COMPARISON OF COMPONENTS AND TOTAL MILL RATES
FOR THE YEARS 1993 TO 1997 INCLUSIVE**

Description (1)	1993 (2)	1994 (3)	1995 (4)	1996 (5)	1997 (6)	Increase + Decrease - 1996 to 1997	
						Mills (7)	% (8)
<u>Residential</u>							
City	104.2203	104.2203	105.1413	105.1413	105.1413	0.0000 +	0.00 +
Region	107.0004	106.9719	110.1432	111.3252	112.0642	0.7390 +	0.66 +
Sub Total	211.2207	211.1922	215.2845	216.4665	217.2055	0.7390 +	0.34 +
<u>Education - Elementary</u>							
- Secondary	117.3363	113.1485	120.0501	120.5303	141.4554	20.9251 +	17.36 +
Sub Total	190.1989	190.1978	197.4266	203.6592	206.6456	2.9864 +	1.47 +
<u>Total Mill Rates</u>							
	401.4196	401.3900	412.7111	420.1257	423.8511	3.7254 +	0.89 +
<u>Non-Residential</u>							
City	122.6121	122.6121	123.6957	123.6957	123.6957	0.0000 +	0.00 +
Region	125.8828	125.8493	129.5803	130.9709	131.8402	0.8693 +	0.66 +
Sub Total	248.4949	248.4614	253.2760	254.6666	255.5359	0.8693 +	0.34 +
<u>Education - Elementary</u>							
- Secondary	138.0427	133.1159	141.2354	141.8004	166.4181	24.6177 +	17.36 +
Sub Total	223.7634	223.7621	232.2666	239.5991	243.1124	3.5133 +	1.47 +
<u>Total Mill Rates</u>							
	472.2583	472.2235	485.5426	494.2657	498.6483	4.3826 +	0.89 +

Notes: The 1997 mill rates were calculated based on the 1996 unrevised assessment for 1997 taxation.

Appendix "A" referred
to in Section 1 of the
EIGHTH Report of
the Finance and
Administration
Committee for 1997

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1997 and respectfully recommends:

1. (a) That Mr. Wesley Shoemaker be appointed as Fire Chief for the City of Hamilton within Salary Schedule C of the City's Non Union Compensation Plan; and,
- (b) That the Chief Administrative Officer and the Commissioner of Human Resources be authorized to conclude negotiations for an employment contract under the terms and conditions agreed to.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**J. J. Schatz
Acting Secretary
1997 April 29th**

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That the Bingo Lottery Licence of the Kinsmen Charitable Foundation of Hamilton be suspended for two events, specifically 1997 May 9 and 23; and,
- (b) That the Kinsmen Charitable Foundation of Hamilton receive retraining in the operation of a bingo lottery from the City of Hamilton Licensing Division.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRPERSON
LICENSING COMMITTEE**

**Stella Glover
Secretary
1997 April 9**

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1997

1997 May 6

Minutes of Hamilton City Council
Tuesday, 1997 May 6
7:15 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL

MAY 10 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger,
Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman W. McCulloch - civic business
Alderman C. Collins - civic business
Alderman H. Merling - civic business

Mayor Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Jackson that City Council go into Committee of the Whole to consider resolutions with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps,
Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: -0.

CARRIED.

RESOLUTIONS

- i) Appointment of Acting Mayor for May, 1997
- ii) Endorsement - International Climate Protection Campaign
- iii) Bill E-07: A By-law to Confirm Proceedings

It was moved by Alderman Kiss and seconded by Alderman Jackson that Alderman M. Caplan be appointed Acting Mayor for the month of May, 1997.

CARRIED.

* * * * *

It was moved by Alderman Drury and seconded by Alderman Wilson and **CARRIED:**

That the Mayor, on behalf of the Council of the Corporation of the City of Hamilton, endorse the following:

I, MAYOR ROBERT M. MORROW

ENDORSE in principle the aims and objectives of the Cities for Climate Protection (CCP) Campaign, an international International Council for Local Environmental Initiatives (ICLEI) campaign to mobilize local government action to reduce greenhouse gas emissions, and provide a collective international voice for local governments vis-a-vis national governments and the U.N. Framework Convention on Climate Change;

PLEDGE to pursue the goals outlined herein, and with the approval by the municipal council and/or elected leader, to officially join the Cities for Climate Protection Campaign, thus committing my local government to do the following:

1. develop and implement a local action plan to reduce emissions of greenhouse gases and protect carbon sinks, which contains:

- a profile of baseline local energy use and estimates of energy use in a "scenario year" 10 to 20 years in the future
- a profile of CO₂ and other emissions in the baseline and scenario years
- an inventory of measures and technologies appropriate to reduce CO₂ and other relevant emissions in the scenario year, prioritized based on the capacity to directly reduce emissions, cost effectiveness, and other criteria deemed appropriate
- a CO₂ reduction target applicable to the scenario year which is no less than that stipulated in current FCCC documentation i.e. stabilization of emissions at 1990 levels by the year 2000
- policies that will enable the local authority to meet the target;

2. develop and implement measures aimed to reduce energy consumption and greenhouse gas emissions in the local government's own operations, such as public facilities, vehicle fleets and employee travel;

3. conduct awareness building campaigns and/or other educational programs which endeavour to change public attitudes and behaviour in order to reduce energy consumption;

4. promote the local level development and sustainable use of renewable sources of energy such as hydro, solar, wind, geothermal, biogas and biomass;

5. submit to the World Secretariat of ICLEI or to the regional CCP Campaign Office, a copy or summary of our local action plan in the English language, within one and one-half years of the date below.

1997 May 6

Mayor R.M. Morrow
City of Hamilton

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Jackson that the following Bill be adopted, signed and enrolled as a By-law:

E-07: A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Jackson that the Report of the Committee of the Whole on the Resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: -0.

CARRIED.

1997 May 6

* * * * *

City Council then adjourned at 7:20 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 May 6
JJS/dg

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1997

1997 May 13

REVISED

Minutes of Hamilton City Council
Tuesday, 1997 May 13
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAY 23 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Steven Deak, St. Michael's Hungarian Greek-Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held:

- (a) 1997 April 29 (special meeting)
- (b) 1997 April 29 (regular meeting); and
- (c) 1997 May 6 (special meeting) were adopted as circulated.

* * * * *

PRESENTATIONS

Ms. Elizabeth Bourns of the City of Hamilton Charity Fund presented a cheque to the United Way.

* * * * *

Mayor R. M. Morrow formally recognized the financial donations of local corporations to the Manitoba flood relief effort.

CORRESPONDENCE

1. Letter dated 1997 May 1 from the Hamilton Harbour Commissioners respecting the Canada Marine Act, conveyance of Water lots 1 and 2, and surplus profits.

Referred to the Finance and Administration Committee.

2. Application dated 1997 May 6 from R. Denninger Limited, 284 King Street East, Hamilton, for a change in zoning from "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified for 1289 Upper James Street, Hamilton, Ont.

Received.

3. Application dated 1997 May 6 from Cesare, Vera, Enio and Maurice Prosperi, 113 Mohawk Road East for a change in zoning from "C" (Urban Protected Residential, etc.) District for "R-4" (Small Lot Single Family Detached) District for 5 Dodson Street, Hamilton.

Received.

4. Letter from F.C.M. Big City Mayors' Caucus Re: FCM 20% Club's Activities.

Referred to the Finance and Administration Committee.

5. Letter from F.C.M. Big City Mayors' Caucus Re: Message from Mayor Al Duerr, City of Calgary - Encourage to mark 1997 April 6th as the 1000 Day Challenge - "Countdown 2000"

Referred to the Finance and Administration Committee.

6. Letter from F.C.M. Big City Mayors' Caucus Re: News Release - City of Ottawa - National network of Canadian Mayors - Experience Canada - Career opportunities for youth between 18 and 29 years of age.

Referred to the Finance and Administration Committee.

7. Letter from F.C.M. Big City Mayors' Caucus Re: Telecommunications: Access to Municipal Rights-of-way.

Referred to the Transport and Environment Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

Section 10 Re: Ontario Racing Commission - Request from Flamboro Downs for additional proposed Teletheatre locations - Rookies Sports Cafe and Hanrahan's Tavern

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Morelli, Eisenberger, Collins, Jackson, D'Amico, Ross. -10.

NAYS: Aldermen Kiss, McCulloch, Copps, Wilson, Charters, Merling, Anderson. -7.
CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Section 2 Re: Integration of Divisions - Property Department

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Kiss, Agro, Eisenberger. -3.
CARRIED.

RESOLUTIONS

Section 32 of the Fourth Report of the Transport and Environment Committee for 1997

Section 32 of the Fourth Report of the Transport and Environment Committee which was tabled for two weeks by City Council at its meeting held April 29:

32. (a) That a Transportation and Urban Design firm be retained, at an upset limit of \$10,000, to review how the following two-way street proposals could be implemented:

- (i) King Street, between Victoria and Queen
- (ii) James Street, between the Escarpment and the Harbour
- (iii) John Street, between the Escarpment and the Harbour; and,
- (b) That the operational issues to be studied include:
 - (i) impact on hospitals
 - (ii) requirements of Police and Fire Departments
 - (iii) traffic flow at the micro level; and,
- (c) That, assuming the foregoing studies show the proposal can be implemented, the study include an estimate of the costs of the required changes to traffic lights, traffic signs and other matters; and,
- (d) That the draft study be made available to relevant City and Regional Staff for comment prior to submission to this Committee; and,
- (e) That the completed report on this matter will be available by 1997 July 15.

* * * * *

It was moved by Alderman Agro and seconded by Alderman D'Amico that Section 32 of the Fourth Report of the Transport and Environment Committee be tabled.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Copps, Jackson, D'Amico. -7.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, Ross. -10. **LOST.**

Recorded vote on Section 32.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Copps, Jackson, D'Amico. -7.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, Ross. -10. **LOST.**

* * * * *

Re: Local Government Restructuring

Section 1 of the Second Report of the Committee of the Whole for 1997 adopted by City Council on 1997 February 28 and reconsidered by City Council on April 29, 1997

1. (a) That Hamilton City Council go on record as favouring the report prepared by M.P.P. Tony Skarica dated February 23, 1997 and rejects the recommendations of Parliamentary Assistant Hardeman with respect to the restructuring of municipal government in Hamilton-Wentworth, subject to the following conditions:
 - (i) That the Red Hill Creek Expressway be funded on the basis of pooled equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook.
 - (ii) That a transit system be operated and owned by the City of Hamilton.
 - (iii) That the funding of health and social services, social housing and long term care be based on pool equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, and be administered by the City of Hamilton.
 - (iv) That the City of Hamilton be designated as the coordinator for emergency preparedness on behalf of Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, based on pooled equalized assessment.
 - (v) That all municipalities - Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook be responsible for all transition costs based on pooled equalized assessment.
 - (vi) That this document in no way over-ride all rights conferred to municipalities by virtue of the provincial Municipal Act.
- (b) That the Minister of Municipal Affairs be so advised.

Recorded vote.

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -9.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -8.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:15 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 May 13
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. That a "No Parking" regulation be implemented on the north side of Blossom Lane commencing 493 feet west of Upper James Street and extending to a point 32 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
2.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Brant Street commencing at a point 53 feet west of Niagara Street and extending to a point 16 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Linda Rooney, No. 23 Brant Street.
3.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Poulette Street between Hunter Street West and the northerly end and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to No. 376 Hunter Street West.
4. That a "No Parking" regulation be implemented on the south side of Norwood Road commencing at Bond Street North and extending to a point 93 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing "No Parking" loading zone on the south side of Case Street commencing at a point 201 feet west of Lottridge Street and extending to a point 20 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
6.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue commencing at a point 183 feet south of Britannia Avenue and extending to a point 23 feet southerly therefrom, and on the east side of Fairfield Avenue commencing at a point 167 feet south of Britannia Avenue and extending to a point 24 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Lloyd Stockton, No. 185 Fairfield Avenue North.
7. That the existing "No Stopping, Wheelchair Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Royal Avenue commencing at a point 66 feet east of Emerson Street and extending to a point 24 feet easterly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That the existing taxi stand, loading zone and five 15-minute parking meters on the north side of Rebecca Street between John Street North and Catharine Street North, be replaced with 11 30-minute parking meters and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing "Permit Parking" regulation on the east side of Bond Street South commencing at a point 52 feet south of Marion Avenue and extending to a point 22 feet southerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That a "No Stopping" corner clearance be implemented on the south side of Monteagle Court commencing at Dungannon Place and extending to a point 52 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That all-way stop control be implemented at the intersection of Barlake Avenue and Hollydene Place and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That southbound traffic on Jeremy Street be required to stop for eastbound and westbound traffic on Chipman Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. (a) That the following Hamilton Street Railway bus stops be removed and relocated:

Route No. 27 Upper James

- | | | |
|-------|--------------------|---|
| (i) | Delete - Eastbound | Limeridge Road West, south side, 545' west of West 5th Street (M/B); and, |
| (ii) | Delete - Eastbound | Limeridge Road West, south side, 58' west of West 5th Street (N/S); and, |
| (iii) | Add - Eastbound | Limeridge Road West, south side, 288' west of West 5th Street (M/B); and, |

Route No. 21 Upper Kenilworth

- | | | | |
|-------|--------------------|---|--|
| (i) | Add - Eastbound | - | Limeridge Road East, south side, 118 feet east of Upper Ottawa Street (F/S); and, |
| (ii) | Delete - Eastbound | - | Limeridge Road East, south side, 29 feet west of Upper Kenilworth Ave. (N/S); and, |
| (iii) | Add - Northbound | - | Upper Kenilworth Avenue, east side, 217 feet north of Limeridge Road East (M/B) - recovery point; and, |
| (iv) | Delete - Eastbound | - | Limeridge Road East, south side, 108 feet east of Upper Kenilworth Avenue (F/S); and, |
| (v) | Add - Southbound | - | Upper Kenilworth Avenue, west side, 217 feet north of Limeridge Road East (M/B) - recovery point; and, |

Route No. 22 Upper Ottawa

- (i) Add - Eastbound - Unsworth Drive, south side, 108 feet east of Upper Ottawa Street (F/S); and,
 - (ii) Add - Northbound - Hempstead Drive, east side, 200 feet north of the north curb line (projected) of Unsworth Drive (M/B); and,
 - (iii) Add - Eastbound - Hempstead Drive, south side, 36 feet west of Nebo Road (N/S); and,
 - (iv) Delete - Northbound - Pritchard Road, east side, 261 feet north of the centre line of Rymal E. (M/B); and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That the supervised school crossing on Melvin Avenue be relocated from 60 feet east of Brunswick to the intersection of Brunswick Street and Melvin Avenue; and,
- (b) That parking be allowed on the north side of Melvin Avenue between Brunswick Street and Osborne Street; and,
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That the following Hamilton Street Railway bus stop be installed:

Route No. 33 Sanatorium

- Add - Southbound - MacNab Street South, west side of the east leg, 20 feet north of Main Street West; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
16. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved, provided:

- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A", be set for the encroachments.
17. (a) That the existing weight restriction on the Valley Inn Road bridge over Grindstone Creek be revised to a maximum of 5 tonnes; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:
- "Allison Estates - Phase 2", Hamilton**
- City's Share - \$ 29,679.08 Owner's Share - \$ 245,830.11; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Allison Estates - Phase 2", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,
 - (d) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City's share of servicing "Allison Estates - Phase 2" subdivision at an estimated cost of \$29,679.08 be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,

- (f) That the Commissioner of Transportation be directed to prepare a By-law to stop up, close and retain:
 - (i) The most northerly 0.30 metres of Kirkfield Road, from the most easterly limit of Lot 66, Registered Plan 1013, westerly to a distance of approximately 12.00 metres; and,
 - (ii) The most southerly 0.30 metres of Kirkfield Road, from the most easterly limit of Lot 67, Registered Plan 1013, westerly to a distance of approximately 12.00 metres; and,
 - (g) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closings described in Sub-Section (f) (i) and (ii) above, pursuant to Section 44 of the Regional Municipality Act R.S.O. 1990; and,
 - (h) That the Commissioner of Transportation be authorized and directed to prepare and register a reference plan under the Registry Act, for the purpose of closing the road described in Sub-Section (f) (i) and (ii) above; and,
 - (i) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1990.
19. (a) That an Option to Purchase by the City of Hamilton, duly executed by the owner Canada Lands Company (CLC) Limited on 1997 April 22, and scheduled to close on or before 1997 June 30, for the lands situated in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of Lot 12, Registrar's Compiled Plan No. 1391, having a frontage of 11.253 metres (36.92 feet), along the southern limit of King Street East, and a frontage of 11.265 metres (36.96 feet), along the northern limit of Main Street East, and a depth of 82.892 metres (271.96 feet), known as No. 179 Main Street East, shown as Part 1 on Registered Plan 62R-13475, excluding that portion of the previously described lands occupied by a foundation wall encroachment of a building known as No. 242 King Street East, Hamilton, be approved and completed and the purchase price of \$51,500 be charged to Account Centre No. CH 00102 (Reserve for Property Purchase); and,
- (b) That as consideration in the amount of \$2 has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,

- (c) That in connection with the eaves of the building known as 242 King Street East, which overhang the property being acquired by the City, that the building owner be permitted to maintain the overhanging eaves, provided the owner enters into the City's Standard Encroachment Agreement in a form satisfactory to the City Solicitor and the Senior Director of the Roads Division, which agreement shall confirm that the encroachment may continue only during the pleasure of Council and be subject to an annual fee for his privilege in the amount of \$20 per year or the fees as amended; and,
 - (d) That following completion of this said purchase, the Senior Director of Roads is hereby authorized and directed to prepare a by-law, in a form satisfactory to the City Solicitor, to establish the said lands as a highway forming part of Ferguson Avenue South; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
20. That the Commissioner of Public Works and Traffic be directed to implement the reconstruction of the City sidewalks on the south side of King Street from James Street to Mary Street in accordance with the attached Appendix "B".
21. That a purchase order be issued to Wesco, of Hamilton, Ontario, in the amount of \$224,395.74 for the supply and delivery of light poles and bollards for the redevelopment of King Street East between James Street and Mary Street being the lowest acceptable tender received in accordance with specifications C16-1897 issued by the Purchasing Division and Vendor's tender, and be financed from Capital Funds Account No. CF5200 609755033.
22. That the Commissioner of Public Works and Traffic be directed to prepare a comprehensive report, in association with the Hamilton Parking Authority and the Regional Roads Department and in conjunction with the Downtown Revitalization Plan on various initiatives to increase the availability of parking in the downtown core.

23. (a) That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton does not object to Twin Oaks Environmental Ltd. receiving a Provisional Certificate of Approval No. A650135 for a Waste Disposal Site (Processing/Transfer) for the site located at No. 464 Rennie Street East, Hamilton on the condition that:
- (i) the Ministry of Environment and Energy give specific consideration to reducing the storage time for residual waste exclusively, in order to mitigate potential odour and dust impacts; and,
 - (ii) that proper spill prevention measures and containment be implemented, to minimize the potential of any discharges to the Regional sewer system during the removal of liquid waste from the underground storage tank into a tanker vehicle; and,
 - (iii) that all environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy, and that all applicable City By-laws are complied with fully; and,
- (b) That a copy of this Report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,
- (c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval for Twin Oaks Environmental Ltd. to the City of Hamilton.
24. That the application of Hamilton-Wentworth Creative Arts Inc. to temporarily close Longwood Road North, Paradise Road North and Bond Street North from King Street West to Princess Point, and the cross streets between Longwood Road and Paradise Road including Glen Road, Dufferin Street, Edgevale Road, Roanoke Road, Norwood Road, Franklin Avenue, Kenmore Road, Dorset Place, Freeland Court and Desjardins Court, to all but pass holders, residents of the closure area and emergency vehicles, and to allow one way access to the parking area at Kay Drage Park from Macklin Street and one way exit from Kay Drage Park from Longwood Road, from Saturday 1997 June 28 at 11:00 o'clock a.m. to Tuesday, 1997 July 1 at 12:00 o'clock midnight, to hold the annual Earthsong Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
 - (d) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic at the expense of the applicant; and,
 - (e) That all barricading be supplied by and at the expense of the applicant; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
25. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:
- "the lands composed of Rosslyn Avenue South, Registered Plan 586, designated as Parts 1, 2, 3 and 4 on Plan 62R-14097 and containing an area of 1,150.1 square metres (12,379.98 square feet)"; and,

- (b) That an Offer to Purchase (Highway Closure), to be executed by Loblaw's Inc. (Gavin Goebel, Assistant Secretary) and scheduled to close thirty (30) days after the conditions in the Offer have been fulfilled to the satisfaction of the City, being on or before the 1997 June 16, for the lands composed of Rosslyn Avenue South, Registered Plan 586, designated as Parts 1, 2, 3 and 4 on Plan 62R-14097, and containing an area of 1,150.1 square metres (12,379.98 square feet) as shown on Schedule "B" attached to the Agreement, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$104,280 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)) - \$74,280 and Account No. CH59006 75910 (Recovery/External - Work done for Others) - \$30,000; and,
- (c) That the closing of this sale transaction be conditional upon the Purchaser entering into and registering easements in favour of the Regional Municipality of Hamilton-Wentworth, Part 2 on Plan 62R-14097 and Hamilton Hydro Electric System, Part 3 on Plan 62R-14097; and,
- (d) It is understood and agreed that:
 - (i) the Purchaser shall install landscaping satisfactory to the City on Rosslyn Avenue adjacent to Delta Park, at the proposed entrance onto King Street, east of Rosslyn Avenue and at the corner of King Street East and Balmoral Avenue in accordance with a plan to be prepared by the Department of Public Works and Traffic; and,
 - (ii) the above noted \$30,000 to be paid by the Purchaser is for the installation of a Pedestrian Priority Signal crossing King Street in the vicinity of Balmoral Avenue, Hamilton; and,
- (e) That the Regional Municipality of Hamilton-Wentworth be requested to install a Pedestrian Priority Signal crossing King Street in the vicinity of Balmoral Avenue, Hamilton in 1997; and,
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (g) That in accordance with Real Property Sales Procedural By-law No. 95-049:

- (i) satisfactory notice given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
- (ii) no appraisal of the fair market value of the real property being sold was obtained as Highway (Public Alleyway) closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
- (iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act.

26. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-29 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (b) A-30 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (c) A-31 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (d) A-32 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (e) A-33 A By-law to Stop-up, Close and Sell that Portion of Rosslyn Avenue from Main Street East to King Street East Designated as Parts 1, 2, 3 and 4 on Plan 62R-14097
- (f) A-34 A By-law to Authorize the Construction as Local Improvements as a City Initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks

Respectfully Submitted,

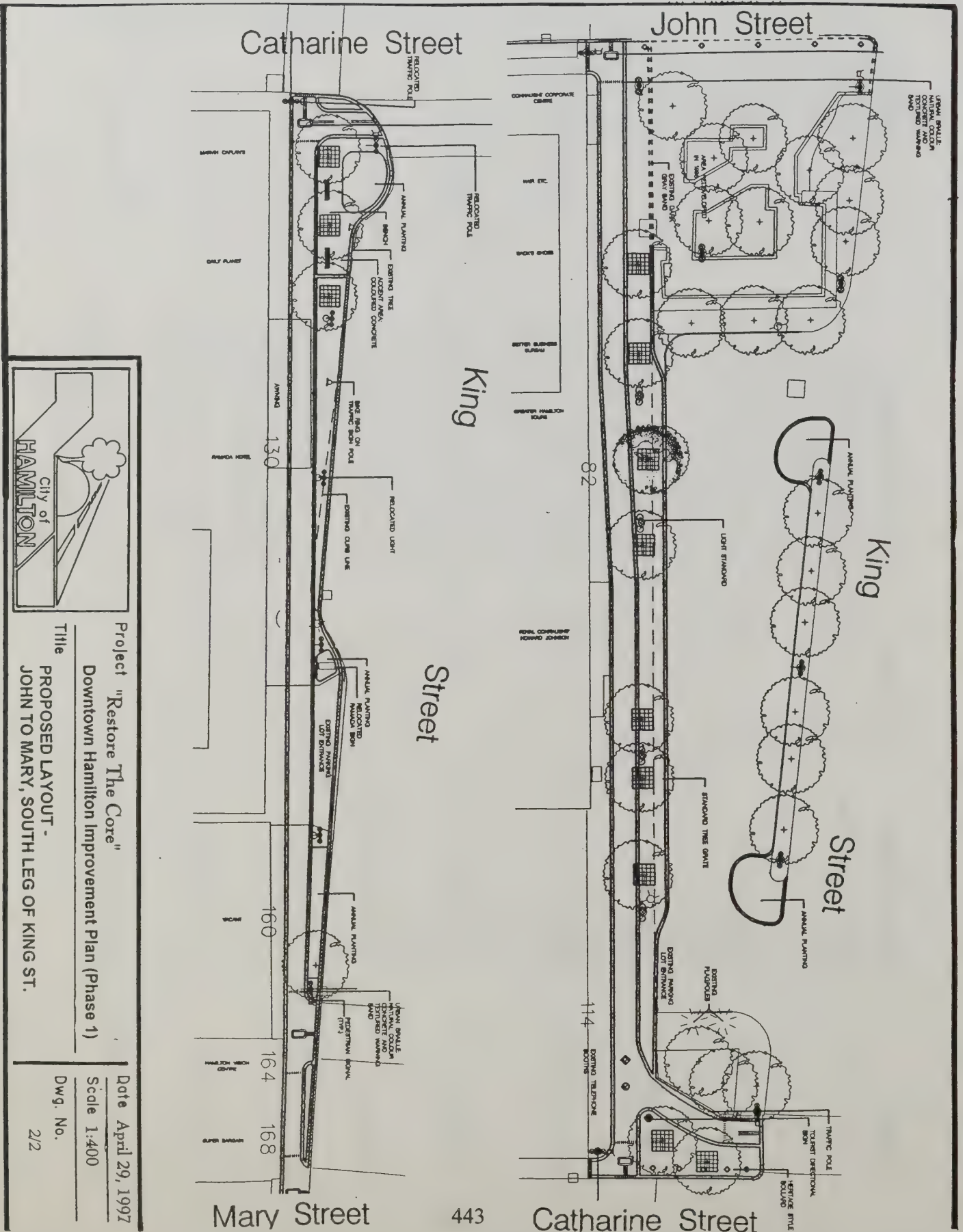
**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1997 May 5

Appendix "A" as referred to in
Section 16 of the Fifth
Report of the Transport and
Environment Committee for 1997

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual Fee</u>
East Avenue North	119 East Avenue North	G. & K. Gannon	Encroachment of portion of veranda measuring 6.66m x 0.27m and steps measuring 1.06m x 1.33m onto the East Avenue North road allowance	\$158.00/\$20.00
Catharine Street	390 Catharine Street	J. & J. Amore	Encroachment of steps measuring 1.6m x 1.2m onto the Catharine St. road allowance.	\$184.00/\$20.00
Grant Avenue	95 Grant Avenue	M. & A. Weiler	Encroachment of front porch and steps measuring 3.0m x 0.3m onto the Grant Avenue road allowance	\$184.00/\$20.00
Roxborough Avenue	130-136 Kenilworth Avenue	1150683 Ontario Ltd.	Encroachment of landscaping consisting of three Maple Trees measuring 3m x 30m onto the Roxborough Avenue road allowance	\$264.00/\$20.00
Mary Street	194 Mary Street	C. & D. Santos	Encroachment of steps measuring 1.22m x 0.53m onto the Mary Street road allowance	\$184.00/\$20.00
Bold Street	123 & 125 Bold Street	Bold Street Holdings Ltd.	Encroachment of 2 sets of steps measuring 1.5m x 0.15m onto the Bold Street road allowance	\$184.00/\$20.00
Rosemont Avenue	45 Rosemont Avenue	M. & A. Kuzmenco	Encroachment of concrete steps measuring 1.5m x 0.5m onto the Rosemont Avenue road allowance	\$184.00/\$20.00
Aikman Avenue	14 Aikman Avenue	J. & C. Baceo	Encroachment of steps measuring 1.5m x 1m onto the Aikman Ave road allowance	\$184.00/\$20.00
Strachan Street East	111 Strachan Street East	E. & E. Reesor	Encroachment of front porch measuring 6.5m x 0.5m and steps measuring 1.5m x 1m onto the Strachan St. E. road allowance	\$184.00/\$20.00



Project "Restore The Core"
Downtown Hamilton Improvement Plan (Phase 1)
Title
PROPOSED LAYOUT -
JOHN TO MARY, SOUTH LEG OF KING ST.

Date April 29, 1997
Scale 1:400
Dwg. No.
2/2



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1997 and respectfully recommends:

1. That approval be given to amended Zoning Application ZAC-97-10, Frank Mulas Construction Ltd., DiCenzo Construction and Sunshine Construction Inc., owners, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District (Blocks "1" and "2") and from "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc) District (Blocks "3" and "4") for property located west of Omni Boulevard, south of Upper Horning Road and north of Stone Church Road West as shown on the attached map marked as Appendix "A" on the following basis:
 - (a) That Blocks "1" and "2" be rezoned from (Agricultural) District to "C" (Urban Protected Residential, etc) District; and,
 - (b) That Blocks "3" and "4" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc) District; and,
 - (c) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "2" and "4", be modified to include the following variance, as a special requirement:
 - (i) Notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the minimum front yard shall be provided and maintained in accordance with the attached Schedule "B"; and,
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1380, and that the subject lands on Zoning District Map W-9B be notated S - 1380; and,
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37C for presentation to City Council; and,
 - (f) That upon finalization of the zoning by-law the approved Gurnett Neighbourhood Plan be amended to redesignate the subject lands from "Attached Housing" to "Single and Double Residential"; and,

- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

- 2. (a) That the appropriate staff (eg. Law, Planning and Development Departments) be authorized to attend the Ontario Municipal Board Hearing respecting the severance of the Canadian National Railway lands, north of Barton Street West, between Crooks Street and Queen Street North, as shown on the attached map marked as Appendix "B" and inform the Board that the City consents to the amendment of condition 2. so that it reads:

"Rezoning the subject lands from "K" (Heavy Industry, etc) District to "L-mr-1" (Planned Development-Residential) District."; and

- (b) That the City be authorized to request an adjournment of the hearing until Zoning Application 97-15 has been finalized; and,
- (c) That the City be authorized to defend the decision of the Committee of Adjustment as amended by item (a) above, in the event that an adjournment is not granted by the Ontario Municipal Board.

- 3. (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 293 Tragina Avenue North demolished to bring the subject property into compliance with City of Hamilton Property Standards By-Law 94-185 and as authorized under The Planning Act, 1990 Subsection 20, Section 31 and specifically to do the work required to comply with the Final and Binding Order; and,

- (b) That the costs incurred for demolition, levelling, and clearing of lands together with administrative costs be added to the tax roll; and,

- (c) That the Building Commissioner be authorized to issue a demolition permit for 293 Tragina Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended; and,

- (d) That the attached By-law marked as Appendix "C" to authorize the demolition of all buildings and structures and the clearing of the lands be enacted by Council.

- 4. That the Building Commissioner be authorized to issue a demolition permit for 170 Simcoe Street East once the owner obtains a building permit to replace the building to be demolished.

5. That the Building Commissioner be authorized to issue a demolition permit for 172 Simcoe Street East once the owner obtains a building permit to replace the building to be demolished.
6.
 - (a) That the remainder of the 1996 Festival Allocation be approved toward the purchase of Street Banners as part of the Festival component of the Barton Street Revitalization Program; and,
 - (b) That the City Treasurer be authorized and directed to forward \$12,743.34 to the Barton Street B.I.A.
7.
 - (a)
 - (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to 1160584 Ontario Inc., for improvements to 340 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
 - (b)
 - (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to 1160584 Ontario Inc., for improvements to 340 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand, five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
8. That a Commercial Property Improvement Loan in the amount of fifteen thousand dollars (\$15,000) to Jacqueline Simpson for improvements to 948 King Street West be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate will be 2 3/8 per cent amortized over ten years.
9. That a Commercial Property Improvement Loan in the amount of fifteen thousand dollars (\$15,000) to Dromore Company Limited for improvements to 950 King Street West be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate will be 2 3/8 per cent amortized over ten years.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and sixty-four dollars (\$1,764) be approved for Joyce Smale, 344 East 37th Street, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
11. That the Chairman of the Committee of Adjustment or his nominee and another member of the Committee of Adjustment be authorized to attend the 1997 Annual Conference of the Ontario Association of Committees of Adjustment and Consent Authorities to be held for four days, 1997 June 1 - 4 in Thunder Bay Ontario at an expense not to exceed \$1,200 each to be charged to account CH55201-10010, Legislative Travelling.
12.
 - (a) That approval be given to the Environmental Impact Statement Waiver, on behalf of Terra Homes Hamilton Inc., to permit the development of the lands located at no. 206 Dumbarton Avenue, as shown on the attached map marked as Appendix "D" for a single-family dwelling; and,
 - (b) That the City Clerk be requested to forward a copy of Council's Decision to the Regional Clerk, for consideration by Regional Council.
13. That the City of Hamilton accept the sum of \$34,350.00 as a cash payment in lieu of the 5% land dedication in connection with "Wisemount Estates - Phase 8", Hamilton being the cash payment required under Section 51 of the Planning Act.
14.
 - (a) That approval be given to the request by David Elliot, Solicitor for 822827 Ontario Inc., owner, for a 1 year extension to remove part-lot control in order to establish maintenance easements for Lots 1 - 9, inclusive, located in "Wisemount Estates, Phase 7", Registered Plan No. 62M-794, as shown on Appendix "E" and,
 - (b) That the attached By-law, marked as Appendix "F" to extend the removal of part-lot control until June 1, 1998 from Lots 1 to 9, inclusive, Registered Plan 62M-794, "Wisemount Estates, Phase 7" plan of subdivision, be enacted by Council.
15.
 - (a) That Zoning By-law No. 96-114 respecting 775 and 779 Upper Wentworth Street be repealed in its entirety; and,
 - (b) That the By-law attached hereto as Appendix "G" be approved by Council.

16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-26 A By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 293 Tragina Avenue North.
- (b) C-27 A By-law to Extend By-law No. 97-032 Respecting Land Within the "Wisemount Estates, Phase 7" Subdivision (62M-794) Plan 62R-13901.
- (c) C-28 A By-law to Repeal Zoning By-law No. 96-114 Respecting Lands Located at Municipal Nos. 775 and 779 Upper Wentworth Street.
- (d) C-29 A By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 97-57 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.
- (e) C-30 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 121 Augusta Street.
- (f) C-31 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located West of Omni Boulevard, South of Upper Horning Road and North of Stone Church Road West.

Respectfully submitted,

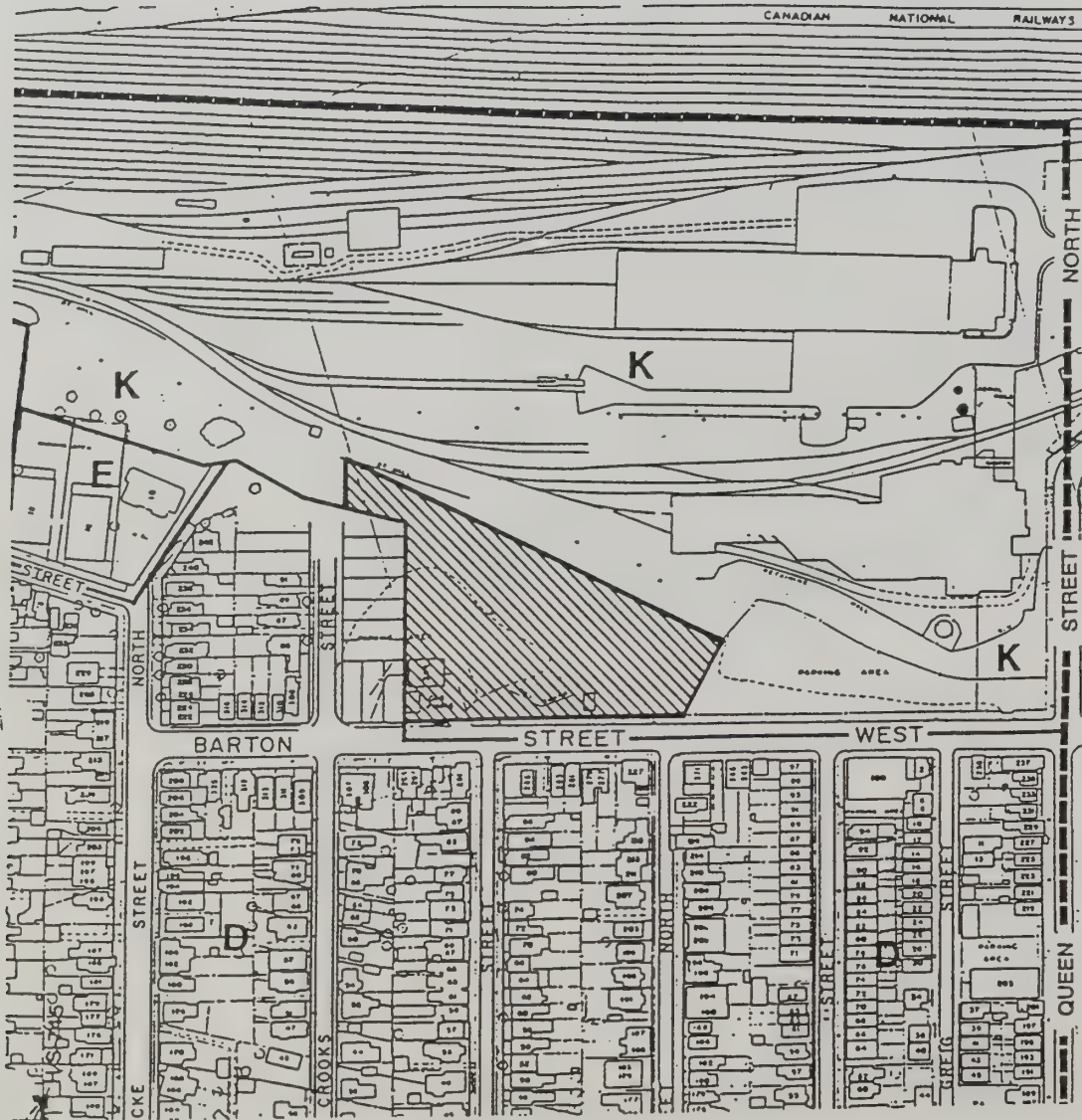
**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 May 7**



BLOCK 1		From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
BLOCK 2		From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified;
BLOCK 3		From "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc.) District; and,
BLOCK 4		From "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc.) District, modified.

450



Legend



B-96-8 - Lands to be Severed



Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

**DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT**

293 TRAGINA AVENUE NORTH

WHEREAS a Notice dated the 13th Day of December 1996 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS an Order dated the 6th of January 1997 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS a hearing was held on the 17th of March 1997 by the Property Standards Committee in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 18 of Section 31 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 19 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described as municipal number 293 Tragina Avenue North, Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No.94-185 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Section 39(1)(c)(ii) of The Property Standards By-Law No. 94-185, as amended, the final amount expended by the City to demolish the buildings, together with interest, shall be a lien against the property in respect of which such amount was expended and the certificate of the City Clerk as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the collector's roll to be collected in like manner as municipal realty taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land municipally known as 293 Tragina Avenue North, more particularly described as Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in like manner as municipal realty taxes.

PASSED this

day of

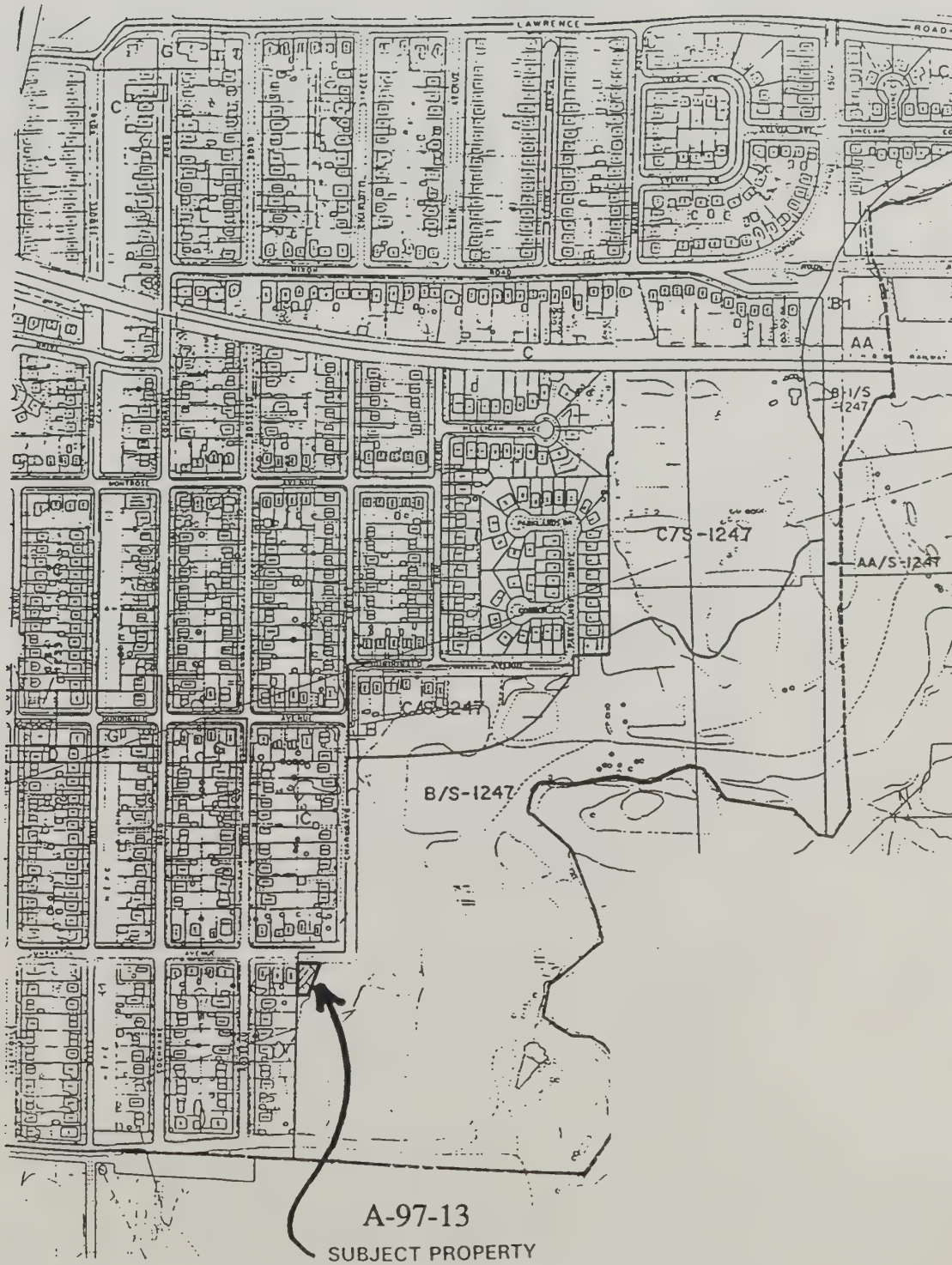
A.D. 19

CITY CLERK

MAYOR

1997 May 13

Appendix "D" referred to in
Section 12(a) of the **EIGHTH** Report
of the Planning and Development
Committee for 1997



M-794

REGIONAL APPROVAL

APPROVED 01/10/00 BY THE BOARD OF
THE DISTRICTS OF NORTH AND SOUTH
OF THE DISTRICTS OF NORTH AND SOUTH
OF THE DISTRICTS OF NORTH AND SOUTH

10/10/00 BY THE BOARD OF

Sir David

APPROVED 01/10/00 BY THE BOARD OF
THE DISTRICTS OF NORTH AND SOUTH
OF THE DISTRICTS OF NORTH AND SOUTH
OF THE DISTRICTS OF NORTH AND SOUTH

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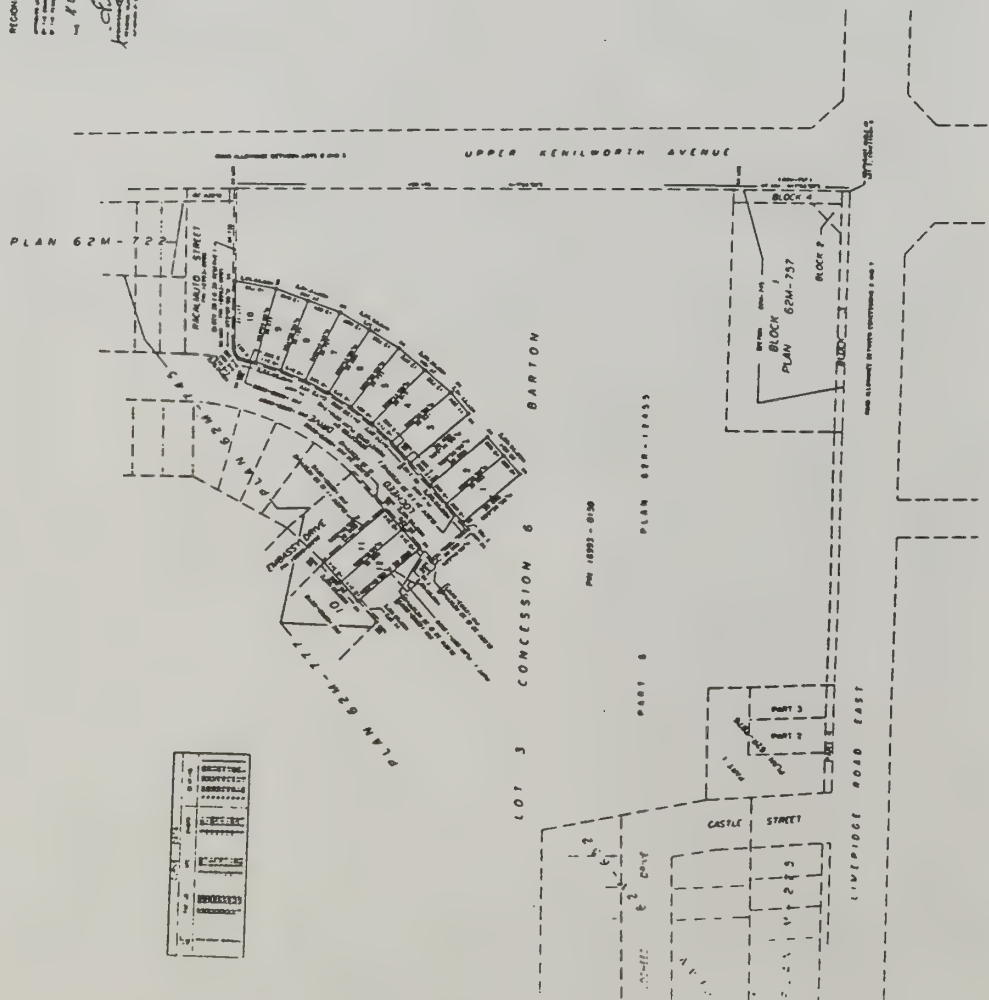
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STATION 5 CEATINGATE

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J D RA:



Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Extend By-law No. 97-032

Respecting:

**LAND WITHIN THE "WISEMOUNT ESTATES, PHASE 7"
SUBDIVISION (62M-794)
PLAN 62R-13901**

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part,
as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 97-032 on February 24, 1997 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on June 1, 1997;

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 97-032;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 97-032 is hereby repealed and the following substituted therefor:

"(c) As it relates to Lots 1 - 9, this By-law shall expire on June 1, 1998. As it relates to Lot 12, this By-law expires on June 1, 1997."

2. Section 1. of By-law No. 97-032 is hereby repealed and the following substituted therefor:

"Subsection 5 of Section 50 of the Planning Act, shall not apply, for the purposes of creating maintenance easements only, to the following lands:

Lots 1 to 9 inclusive, and Lot 12, within Registered Plan Number 62M-794, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth."

3. In all other respects, By-law No. 97-032 is hereby confirmed, unchanged.
4. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 97-032.

PASSED this day of

A.D. 1997.

CITY CLERK

MAYOR

BILL NO. C-

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Repeal:

Zoning By-law No. 96-114

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS.
775 AND 779 UPPER WENTWORTH STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-114 on the 25th day of June 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-124 on the 9th day of July 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS it is expedient to repeal By-law No. 96-114 as it is redundant.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 96-114, passed on the 25 day of June 1996, is hereby repealed in its entirety.
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1997

CITY CLERK

MAYOR

(1997) 8 R.P.D.C. , May 13
Elite Realty Corporation, Prospective Owner
ZAC-95-18

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1997 and respectfully recommends:

1.
 - (a) That a Bylaw to authorize a Municipal Capital Facility Agreement with the Art Gallery of Hamilton, under s. 210.1 of the Municipal Act be enacted; and,
 - (b) That the City Solicitor and the Director of Culture and Recreation negotiate the terms and conditions of a Municipal Capital Facility Agreement with the Art Gallery; and,
 - (c) That the Art Gallery of Hamilton be declared a Municipal Capital Facility serving a municipal purpose, and with a public use.
2.
 - (a) That the City resolve Ontario Court (General Division) Action No. 7101/89 by the payment to the Plaintiffs, Jodi Baker Martin, Robert Martin, Donn Baker, Mary Jane Baker, Amanda Stajtos, of the sum of \$28,500, inclusive of damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 7101/89 be dismissed without costs.
3. That Outstanding Business Taxes in the amount of \$534,727.75 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account No. CH53401 24106, Tax Write-Offs.
4. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919241005	Concession Library Expansion	\$1,924,000	\$1,817,951	\$106,049

5. That the Province be requested to circulate the entire draft Bill of the new Municipal Act in advance of First Reading to enable an understanding of the legislation and meaningful public discussions and comment.

6.
 - (a) That the purchasing process to replace the Hamilton Fire Department Snorkel Truck, City #1671, commence immediately at an estimated cost of \$800,000 with the replacement vehicle delivery and payment scheduled for early 1998; and,
 - (b) That the present Snorkel Truck, City #1671 be decommissioned and offered for sale; and,
 - (c) That the City Treasurer be authorized to advance \$800,000 from the 1998 Capital Budget for the replacement of the Hamilton Fire Department Snorkel Truck, City #1671 and the cost be financed by the Reserve for Replacement of Motorized Equipment, Account Centre No. CH 00101; and,
 - (d) That the City Treasurer be authorized to revise the 1997-2006 Capital Budget Program and to reduce 1998 Project No. 56.1 Fire Department - Vehicle/Apparatus Replacement by \$800,000 from \$1,870,000 to \$1,070,000.

7.
 - (a) That IBM Canada Limited of Markham, Ontario provide leasing services for PCs, printers, file servers and network equipment for a maximum one year period to 1998 April 30th, at the base rate of \$26.55/\$1,000/month for a 36 month operating lease and \$30.65/\$1,000/month for a 36 month Capital lease, (the lowest of ten proposals received); and,
 - (b) That the IBM be permitted to adjust the leasing rate, subject to approval by the Treasurer, during the contract period in accordance with documented fluctuations in the yield on Government of Canada Bonds; and,
 - (c) That decisions to acquire equipment via an operating, or capital lease, or purchase be made, in consultation with the Treasurer; and,

- (d) That the Mayor and the City Clerk be authorized to execute the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor, the City Treasurer and the Director of Information Systems (the City of Hamilton is the lessee); and,
 - (e) That funding be provided from Account # CH56605-26032 (Workstation Leasing).
8. (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
- (i) 16 Magill Street
- (b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.
9. That in addition to the traditional closure of City Hall and some other municipal facilities and services for the period between Christmas and New Year's, that approval be granted to also close on Friday, 1998 January 2 as part of the 1997 Christmas closure.
10. That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Morelli, Eisenberger, Collins, Jackson, D'Amico, Ross. -10.

NAYS: Aldermen Kiss, McCulloch, Copps, Wilson, Charters, Merling, Anderson. -7.

CARRIED.

11. (a) That a By-law to exempt the Hamilton Society for the Prevention of Cruelty to Animals shelter at 245 Dartnall Road for municipal and school taxes be enacted; and,
- (b) That the City Clerk give Notice of passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and the Regional Clerk of the Regional Municipality of Hamilton-Wentworth and to the Secretaries of the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board.

2. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-35 A By-law to Authorize: A Municipal Capital Facility Agreement with the Art Gallery of Hamilton.
- (b) D-36 A By-law to Declare: The Hamilton Society for the Prevention of Cruelty to Animals Municipal Capital Facility Tax Exempt
- (c) D-37 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 May 6**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1997 and respectfully recommends:

1.
 - (a) That the Director of Property's position with an annualized cost of approximately \$122,500 including salary, benefits and expenses be eliminated; and,
 - (b) That this annual operating cost of \$122,500 be credited as part of the \$275,000 base reduction that the Property Department is responsible for determining for 1997; and,
 - (c) That the \$58,000 spent to date of this expenditure be offset through underspending in both the Building Operations and Maintenance Division and in the Real Estate Division; and,
 - (d) That the transition funding of \$229,170 for the severance agreement be charged to the Reserve for Contingencies.
2.
 - (a) That the Manager of Building Operations and Maintenance and his Division report to the Director of Culture and Recreation effective Wednesday, 1997 May 14; and,
 - (b) That the Manager of Administration report to the Director of Culture and Recreation effective Wednesday, 1997 May 14; and,
 - (c) That the Administrative Assistant II, report to the City Clerk, effective Wednesday, 1997 May 14; and,
 - (d) That the Manager of Real Estate and his Division report to the City Clerk, effective Wednesday, 1997 May 14; and,
 - (e) That the Chief Administrative Officer and the Director of Culture and Recreation and the Chief Administrative Officer and the City Clerk review the integration of these Divisions with the aim of further reducing positions and report to the 1997 August 19th Finance and Administration Committee meeting.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Kiss, Agro, Eisenberger. -3.

CARRIED.

3. (a) That the City of Hamilton participate as a donor in the amount of \$300 towards the publication of an information booklet about the artists, their entry piece and photograph of the work of "Chrysalis - A Student art exhibit" being sponsored by Westmount Secondary School; and,
- (b) That funding for this expenditure be charged to the Advertising and Promotion Account No. CH 56302-12001.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 May 13**

Minutes of Hamilton City Council
Tuesday, 1997 May 27
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

JUN 10 1997

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.

Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father James Valk, C.R., Pastor of St. Joseph's Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 May 13th were adopted as circulated.

PRESENTATIONS

Mr. Rory Jones, Chair, Scottish Rite presented a plaque to Mayor R. M. Morrow in recognition of the 75th Anniversary of the Scottish Rite. Also representing the Scottish Rite were Norman E. Byrne - Officer of the Supreme Council of the Thirty-third Degree of the Ancient and Accepted Scottish Rite of Canada and Past Grand Master of Ancient, Free and Accepted Masons of Canada in the Province of Ontario; Robert G. Wands - Sovereign Grand Secretary of Supreme Council of the Thirty-third Degree of the Ancient and Accepted Scottish Rite of Canada, and John I. Carrick - President of Towers Inc. the Administrative Body which manages our properties.

Mayor R. M. Morrow reciprocated by presenting a Hamilton Flag to Mr. Rory Jones, Chair of the Scottish Rite in recognition of their Anniversary.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Mr. Reg McGuire, Executive Vice-President and General Manager of ONtv.

CORRESPONDENCE

1. Letter dated 1997 May 19 from Wentworth Construction Planning, 361 Jackson Street West, Hamilton Re: 139-147 Locke Street South

Referred to the Planning and Development Committee.

2. Application dated 1997 May 15 from DiCenzo Construction, 205 Quigley Road, Unit 2, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District to permit 7 single detached dwellings on 1 lot located on private condominium roadway (Bolzano Drive).

Received.

3. Letter dated 1997 May 22 from Robert W. Morrow, 20 Blossom Lane, Hamilton Re: Official Plan Amendment ZAC 97-11 - 412 Aberdeen Avenue.

Received.

4. Letter dated 1997 May 26 from Naomi R. Morrow Re: Application ZAC 97-11 Re: 412 Aberdeen Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

PARKS AND RECREATION COMMITTEE - FIFTH REPORT

Section 5 Re: Sale of alcoholic beverages - Panagia Greek Orthodox Church - Festival

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 6 Re: Sale of alcoholic beverages - Hamilton Cultural and Ethnic Mosaic Association - Festival

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 20 Bayfront Park - Major special event location

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - NINTH REPORT

Section 1 Re: O.P.A. No. 139 Re: Special Policy Area - 412 Aberdeen Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson. -12.

NAYS: Aldermen Kiss, Copps, D'Amico, Ross. -4.

CARRIED.

* * * * *

Section 2.B.(f)(ix) Re: Side Yard

It was moved by Alderman Drury and seconded by Alderman D'Amico that the NINTH Report of the Planning and Development Committee for 1997 be amended by adding the following as Section 2.B.(f)(ix):

- ix) That notwithstanding Section 13A(4), no southerly side yard shall be provided for the covered walkway that extends westerly for 105 metres from the easterly boundary of Block "1".

CARRIED.

* * * * *

Section 8 (b) Re: Bill C-33 A By-law to Amend Zoning By-law No. 6593 respecting Parking Standards for Single-family Dwellings.

It was moved by Alderman Drury and seconded by Alderman D'Amico that Bill Number C-33 as referred to in Section 8 (b) of the NINTH Report of the Planning and Development Committee for 1997 be amended by deleting clause (14g) in Section 6 and replacing it with the following:

6. (14g) "Except as provided for in clauses (14a), (14b) and (14h),"....

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - TWELFTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - THIRTEENTH REPORT

Section 1 Re: Offer to Purchase Agreement - Sale of 644, 648\650 Barton Street East and 128 - 132 Chestnut Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross.-15

NAYS: Alderman Copps. -1.

CARRIED.

LICENSING COMMITTEE - THIRD REPORT

NOMINATING COMMITTEE - THIRD REPORT

RESOLUTION

Task Force on Corporate Restructuring

Re: Task Force on Corporate Restructuring

It was moved by Alderman Charters and seconded by Alderman Collins that the report from the Task Force on Corporate Restructuring which was tabled by Committee of the Whole at its meeting held Tuesday, 1996 November 26th be referred back to the Task Force on Corporate Restructuring. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF JUNE, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman G. Copps be appointed Acting Mayor for the month of June, 1997. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 May 27
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1997 and respectfully recommends:

1. (a) That a purchase order be issued to Lafarge Construction of Hamilton, Ontario, in the amount of \$399,029.30 plus applicable taxes and contingency for a total of \$491,161.35, for the sidewalk reconstruction, decorative lighting installation, planting bed preparation and irrigation for the redevelopment of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications RHW-97-38 (HW) issued by the Region's Department of Transportation and vendor's tender, and be financed from Capital Funds Account No. CF5200 609755033; and,

(b) That the Mayor and City Clerk be authorized to execute the associated contract in a form satisfactory to the City Solicitor.
2. That a purchase order be issued to Medgar Sales Ltd. of Hamilton, Ontario, in the amount of \$180,550 and approval be given for a contingency allowance of \$18,000 for the supply and delivery of light fixtures, luminaire mounting brackets, and flower basket arms, for the redevelopment of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications C16-23-97, issued by the Purchasing Division and Vendor's tender, and be financed from Capital Funds Account No. CF5200 609755033.
3. That the application of the Hess Village Merchants Association to temporarily close Hess Street between King Street and Main Street from Thursday, 1997 June 12 at 5:30 o'clock p.m. to Saturday, 1997 June 14 at 12:00 o'clock midnight, to hold the annual Hess Village "Summerfest", be approved, subject to the following conditions:
 - (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from

all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (d) That all barricading be supplied by and at the expense of the applicant; and,
- (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
- (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,
- (i) That the applicant be granted extension to the City of Hamilton Noise By-law No. 79-292 and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the event, at the expense of the applicant; and,
- (j) That the LLBO be advised that the Corporation of the City of Hamilton is aware of the application for a Temporary Extension of Liquor Licence submitted by the Lazy Flamingo, No. 19 Hess Street South, in conjunction with the Hess Village Merchant Association's "Summerfest 97" Festival to take place 1997 June 12, June 13 and June 14; and that the City has no objection to the issuance of the Temporary Extension of Liquor Licence for this event.

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary
1997 May 27**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to the Director of the Department of Culture and Recreation to deaccession the following objects from the Hamilton Military Museum collection:

<u>Deaccession Number</u>	<u>Description</u>
1976.32.1	Colour print of Lord Roberts cut down from a larger image
1977.231.1	Tusk (unknown - perhaps boar or walrus)
1977.255.1	Monochrome print entitled "The Dawn of Majuba Day, 1900" showing Canadian troops at Paardberg, South Africa
1977.432.1	Typewritten history of the British Imperial Veterans Association mounted on masonite with membership pin glued to the surface of the paper
1978.474.3	Copy of the Canadian Bill of Rights, 1960
1979.626.1	1925 traced copy of an 1834 map of Burlington Heights made in 1925
1979.752.1-4	Reproduction newspaper accounts, map and print of Custer's last stand
1985.293.4	Photographic copy of the officers' list, 3rd Battalion, Wentworth Militia, 1986 November 22; and,

- (b) That the deaccessioned items be transferred to other areas of the museum operation or disposed of where appropriate.

2. That approval be given to the Director of the Department of Culture and Recreation to spend up to \$4,000 for the purchase of a multi-message recorder and directional speaker system for the Hamilton Children's Museum from the Children's Museum Reserve Account No. CH5X942 00183.
3. That the Director of the Department of Culture and Recreation be authorized to waive greens fees for the Canadian Cancer Society's "Longest Day of Golf" being played on 1997 June 19 at King's Forest and Chedoke Golf Courses.
4.
 - (a) That approval as required by Section 17(1) and Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Director of the Department of Culture and Recreation to contract Hands Fireworks Company Inc. to provide a fireworks display on 1997 July 1 on a barge in Hamilton Harbour; and,
 - (b) That approval be granted to the City of Hamilton to contract a food vendor to barbecue and sell food and beverages during the July 1st Canada Day Celebrations in Bayfront and Pier 4 Parks on 1997 July 1; and,
 - (c) That 25 per cent of the gross sales from the concession be deposited to the First Night Hamilton celebrations account to assist with fundraising for the event.
5. That approval be given to the Panagia Greek Orthodox Church to host their annual Greek Festival and Beer Garden on 1997 August 16 and August 17 at Mountain Arena, subject to the Standard Terms and Conditions of the Special Events Guidelines.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

6. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Hamilton Cultural and Ethnic Mosaic Association to host Kaleidoscope Festival and midway rides, in Bayfront Park from 1997, August 15 to August 17 from 12 o'clock noon to 10:30 o'clock p.m., subject to the Standard Terms and Conditions of the Special Event Guidelines.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

7. That approval be granted to Big "A" Amusement Ltd. to hold a fundraising Carnival event for the Queenston Parent/Child Drop-In Centre on 1997 July 22 to July 27 from 12:00 o'clock noon to 11:00 o'clock p.m. in Parkdale Park subject to the Standard Terms and Conditions of the Special Events Guidelines.
8. That approval be granted to the North End Children's Centre to locate carnival rides in the south-east corner of Eastwood Park on the occasion of the Rainbow Festival to be held 1997 July 4, July 5 and July 6, 10:00 o'clock a.m. to 10:00 o'clock p.m., subject to the Standard Terms and Conditions of the Special Events Guidelines.
9. That City Council endorse the actions of the Director of the Department of Culture and Recreation in waiving greens fees in order to host the annual Hamilton Senior Games Tournament at Chedoke-Martin Golf Course, 1997 May 15.
10. That the Director of the Department of Culture and Recreation be authorized to waive greens fees in order to host the Men's Interclub Championship Tournament at King's Forest Golf Club 1997 October 11.
11. That the Director of the Department of Culture and Recreation be authorized to waive greens fees in order to host the Ontario Ladies Golf Association Junior Championship scheduled during the second week in 1998 July at Chedoke - Beddoe Golf Course.

12. (a) That a purchase order be issued to Lael Construction Co. Ltd. of Hamilton, Ontario as the General Contractor for the Barrier Free Design Modifications at Coronation Arena. The contract amount will be \$59,973 plus applicable GST to a total of \$64,171; and,

(b) That the work be financed from Canada Ontario Infrastructure Programme, Barrier Free Access-City Bldgs CF809453005.
13. (a) That approval be granted to the Director of the Department of Culture and Recreation to renew the contract between Eric Cormier and the City of Hamilton, having previously expired 1996 December 1 for a term to commence 1997 January 1 and to terminate 1998 July 31, at a salary not to exceed \$26,750 annually, based upon a thirty-five hour work week and to included two weeks paid vacation; and,

(b) That the period from 1997 January 1 up and until 1997 May 31, be paid retroactive to this new rate; and,

(c) That the City Solicitor be authorized to draft the necessary document.
14. (a) That a purchase order be issued to Lael Construction Ltd. in the amount of \$84,900 plus GST, for the supply and installation of sunshelters at Glendale Park, Lisgar Park and Woolverton Park, being the lowest of (9) tenders received in accordance with specifications C16-14-97 issued by the Purchasing Division and the Vendor's Tender; and,

(b) That this expenditure be financed from the Park Development Additional - 1997 Account No. CF5200 629754025.
15. That a purchase order be issued to Arrowhead Paving in the amount of \$78,719.90, including GST, for the supply and installation of electrical, asphalt and concrete work at Eastwood Park, being the lowest of (3) tenders received in accordance with specifications C16-12-97 issued by the Purchasing Division and the Vendor's Tender, and that this expenditure be financed from the Eastwood Park Restoration - 1996 Account No. CF5200 629654022.
16. (a) That a purchase order be issued to F.M. Page & Sons Inc. in the amount of \$86,412.90, including GST, for the supply and installation of fence and baseball backstops for Mohawk Park and Turner Park, being the lowest of (3) tenders

received in accordance with specifications C16-20-97 issued by the Purchasing Division and the Vendor's Tender; and,

- (b) That this expenditure be financed from the Mohawk Sports Park Phase I - 1997 Account No. CF5200 629754033 and the Turner Park Phase II - 1997 Account No. CF5200 629754034.
17. (a) That a purchase order be issued to M. Smilsky Limited in the amount of \$92,694.10 for the supply and installation of sod at Eastwood Park and Mohawk Sports Park being the lowest of (8) acceptable tenders received in accordance with specifications C16-10-97 issued by the Purchasing Division and the Vendor's Tender; and,
- (b) That this expenditure be financed from Eastwood Park Restoration - 1996 Account No. CF5200 62965022 and from Mohawk Sports Park Development Phase I - 1997 Account No. CF5200 629754033.
18. (a) That the City of Hamilton enter into a Crossing Agreement with Holiday Inn Express for the use of their lands for crossing purposes in conjunction with the Red Hill Trail System located at No. 51 Keefer Court, Hamilton and that the payment of this agreement of \$1 be charged to Account No. CF639553028 (Red Hill Valley Trail); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
19. (a) That the City of Hamilton grant permission for Frisina Construction Ltd. to place fill on the William Schwenger Park, subject to this firm entering into an agreement for the temporary use of the City owned lands being part of No. 957 Upper Paradise Road, Hamilton (William Schwenger Park), for the purpose of grading work associated with the development of the City park land during the hours of 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday to Saturday for the period extending from the date of City Council approval until 1997 September 30; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
20. That the Regional Municipality of Hamilton-Wentworth be advised that the City of Hamilton deems the designation of Bayfront Park as the major special event location in Hamilton not feasible based on the following reasons:

- (a) Bayfront Park is not necessarily suitable for all of the major events listed; and,
- (b) Each of the events has its history at venues mentioned above and event organizers and neighbourhood residents have worked to overcome areas of concern to the point where expectations of all parties are well documented and conflicts have been minimized; and,
- (c) Some of the events run concurrently, so require separate locations; and,
- (d) Bayfront Park should be left unprogrammed for a portion of the summer to enable unfettered access to park users to enjoy the waterfront location and the park amenities; and,
- (e) The current practice of using several major event locations provides opportunities for visitors and residents to enjoy and appreciate more of the City's resources than possible under a single venue arrangement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

- 21. (a) That the Director of the Department of Culture and Recreation be authorized to increase the level of funding to the Hamilton Y.W.C.A. by a total of \$56,000 in order to provide for increased programming for seniors at the Ottawa Street and MacNab Street Y.W.C.A.'s; and,
- (b) That this unbudgeted expense be accommodated within the 1997 Budget for the Culture and Recreation Department.
- 22. (a) That the Chairman of the Hamilton International Children's Games Committee be authorized to express the support of the City of Hamilton for the initiation of a 2000 World Youth Olympics to the International Olympic Committee and the Board of Directors of the International Children's Games; and,
- (b) That McMaster University and the City of Brantford be invited to join with the City of Hamilton in supporting the creation of these Games; and,

- (c) That the Director of the Department of Culture and Recreation be authorized to inform the Canadian Olympic Association of this position; and,
 - (d) That the Chairman of the Hamilton International Children's Games Committee be authorized, on behalf of the City of Hamilton, to express interest in hosting this event in the year 2000 should a decision be made by the IOC to initiate these games, subject to a full cost benefit analysis; and,
 - (e) That McMaster University and the City of Brantford be requested to join with Hamilton in this expression of interest; and,
 - (f) That the Director of the Department of Culture and Recreation be authorized to report on further developments as warranted.
23. (a) That the City of Hamilton reimburse Ark-Tech Contracting for unpaid electrical work, commissioned by Kay's Food Group, performed at Ivor Wynne Stadium in 1995; and,
- (b) That the outstanding amount of \$18,365 be charged to the Canada/Ontario Infrastructure Project Account No. CF809453007 - Improvements to Ivor Wynne Stadium.
24. (a) That the Commissioner of Public Works and Traffic be directed to proceed with upgrades to the Mohawk Skateboard Facility in the form of ground and timber work, fencing, padding, weld repairs, painting and sign installation; and,
- (b) That the cost of improvements be covered through the 1997 Current Budget; and,
- (c) That staff make provisions in the 1998 Current Budget program recommendation to address an on-going maintenance schedule for this facility.
25. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law No. 95-049:
- (i) 110 Mead Avenue
 - (ii) 1931 Brampton Street; and,
- (b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

26. That consideration be given to providing two of the four proposed murals in the downtown revitalization project through open competitions for local artists, subject to capital budget restrictions.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1997 May 20

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1997 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 139 establishing a Special Policy Area to permit the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books within the Residential designation, for the property known municipally as No. 412 Aberdeen Avenue, as shown on the attached map marked as APPENDIX "A", and that the Director of Planning and Development be directed to prepare the By-law of Adoption, in accordance with Section 17 (22) of the Planning Act for submission to the Regional Municipality of Hamilton-Wentworth;
- B. (a) That approval be given to Zoning Application ZAC-97-11, Whatmough Management Inc. (S. Whatmough), owner, requesting a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations, to permit the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books on the ground floor of the existing dwelling, for property located at No. 412 Aberdeen Avenue, as shown on the attached map marked as APPENDIX "B", on the following basis:
 - (i) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) Notwithstanding Section 10.(1) of Zoning By-law No. 6593, the following shall be permitted:
 - (I) the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books carried on for remuneration entirely within the existing dwelling by an owner residing in the dwelling unit as their principal place of residence, subject to the following requirement:

- (i) the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books shall be located on the ground floor of the existing building, with a maximum floor area of 84 m² (895 sq. ft.); and,
- (II) one non-illuminated business identification sign which is a name plate or a ground sign, subject to the following requirements:
 - (i) the area of any sign shall not exceed 0.2 m² (2.15 sq. ft.);
 - (ii) a ground sign shall be located a minimum of 3.0 m (9.84 ft.) from the front lot line and east side lot line; and,
 - (iii) a ground sign shall have a maximum vertical dimension of 1.0 m (3.28 ft.);
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1381, and that the subject lands on Zoning District Map W-14 be notated S-1381;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14, for presentation to City Council;
- (e) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 139 by the Regional Municipality of Hamilton-Wentworth.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson. -12.

NAYS: Aldermen Kiss, Copps, D'Amico, Ross. -4.

CARRIED.

2. A. That approval be given to Official Plan Amendment No. 140 to redesignate the rear portion of Block "2" from "Residential" to "Commercial" on Schedule "A" and to include Block "1" within Special Policy Area 31 and the rear portion of Block "2" within Special Policy Area 31b on Schedule B - Special Policy Areas and to redesignate Special Policy Area 31c to Special Policy Area 31b, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- B. That approval be given to Zoning Application 97-08, Rosart Properties, owner, requesting a change in zoning from "RT-20" (Townhouse-Maisonette) District modified to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified, for Block "1"; from "AA" (Agricultural) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified, for Block "2"; from "C" (Urban Protected Residential, etc.) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified, for Block "3"; from "C" (Urban Protected Residential, etc.) District modified to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified, for Block "4", to permit development of the subject lands for a parking area and a non-retail use, Block "1"; and a commercial plaza, Blocks "2", "3" and "4", for the property located west of Upper James Street and east of West Fifth Street, the rear portion of 1187 West Fifth Street and 1514 Upper James Street (Block "1") and 1468-1500 Upper James Street (Blocks 2, 3, and 4), shown on the attached map marked as APPENDIX "B", on the following basis:
 - a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of the subject lands until such time as:
 - i) the applicant/owner has received approval of a storm water management study for Blocks "1" and "2" by the Commissioner of the Regional Environment Department; and,
 - ii) the applicant/owner has applied for and received approval of a Site Plan Control Application from the City of Hamilton for Blocks "1", "2", "3" and "4";

Removal of the holding restriction shall be conditional upon completion of a storm water management study for Blocks "1" and "2" and a Site Plan Control Approval for Blocks "1", "2", "3", and "4". City Council may remove the 'H' symbol, and thereby give effect to the "G-1" District provisions as stipulated in this By-law by enactment of an amending By-law(s) once these conditions are fulfilled.

- b) That Block "1" be rezoned from "RT-20" (Townhouse-Maisonette) District modified to "G-1" - 'H' (Designed Shopping Centre - Holding) District;
- c) That Block "2" be rezoned from "AA" (Agricultural) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified;
- d) That Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified;
- e) That Block "4" be rezoned from "C" (Urban Protected Residential, etc.) District modified to "G-1" - 'H' (Designed Shopping Centre - Holding) District modified;
- f) That the "G-1" (Designed Shopping Centre) District regulations, as contained in Section 13A of Zoning By-law No. 6593, applicable to Blocks "1", "2", "3" and "4" be modified to include the following variances as special provisions:
 - i) That notwithstanding Section 13A.(1), only the following uses shall be permitted on Block "1":
 - 1) a day nursery;
 - 2) a business or professional person's office;
 - 3) a private club;
 - 4) a library/museum;
 - 5) an art gallery; and
 - 6) a commercial school.
 - ii) That notwithstanding Section 13A.(4)(a), a front yard of a depth of not less than 6.0 m shall be provided and maintained along the entire easterly boundary of Blocks "3" and "4";
 - iii) That notwithstanding Section 13A.(4)(b), no side yard shall be provided along the entire southerly boundary of Block "2";
 - iv) That notwithstanding Section 13A.(1)(x) and 13A.(1)(xii) of Zoning By-law No. 6593, only one (1) shopping centre identification sign or business identification sign that is a ground sign and having a vertical dimension of not more than 6.0 metres, an aggregate area of vertical projection of not more than 1.0 square metres per 0.5 metres of street frontage of the lot, and

located not less than 4.5 m from the Upper James Street streetline shall be permitted;

- v) That notwithstanding clause 2.(2) J.(xb) of Zoning By-law No. 6593, one (1) directional sign at each point of ingress and egress, and each said sign of a size not exceeding 1.2 square metres (12.92 square feet) shall be permitted;
- vi) That no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;
- vii) That a minimum 6.0 m wide landscape area shall be provided and maintained along the entire easterly boundary of Blocks "3" and "4", except for any area used for driveway access;
- viii) That a planting strip not less than 6.0 m in width and a visual/acoustical barrier between 1.8 m and 2.0 m in height shall be provided and maintained along the entire westerly lot line of Block "2", except for any area used for pedestrian access;
- ix) That notwithstanding Section 13A(4), no southerly side yard shall be provided for the covered walkway that extends westerly for 105 metres from the easterly boundary of Block "1".
ADDED.
- g) That a planting strip not less than 6.0 m in width and a visual/acoustical barrier between 1.8 m and 2.0 m in height shall be provided and maintained along the entire northerly and westerly lot lines of Block "1";
- h) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1382, and the subject lands on Zoning District Map W-9D be notated S-1382;
- i) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;
- j) That the approved Mewburn Neighbourhood Plan be amended by:
 - 1) redesignating Block "1" from "ATTACHED HOUSING" to "COMMERCIAL";

- 2) redesignating Block "2" from "ATTACHED HOUSING" and "NEIGHBOURHOOD COMMERCIAL" to "COMMERCIAL";
- 3) redesignating Blocks "3" & "4" - from "NEIGHBOURHOOD COMMERCIAL" to "COMMERCIAL";
- 4) adding a notation to the Plan indicating the applicable Urban Design Guidelines; and,
- 5) deleting the mid-block collector.

Amendments to the Neighbourhood Plan will be processed upon finalization of the implementing By-law;

- k) That the proposed modifications in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 140 by the Regional Municipality of Hamilton-Wentworth.

C. The Planning and Development Department be authorized to hold a public meeting to consider changes to the land use patterns and internal road configuration in the approved Mewburn Neighbourhood Plan resulting from the removal of the mid-block collector.

3. (a) (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to Cidalio and Maria DeOliveira, for improvements to 359 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
- (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to Cidalio and Maria DeOliveira, for improvements to 359 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand, five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

4.
 - (a)
 - (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to Joao and Lucilia Ferreira, for improvements to 360-362 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
 - (b)
 - (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to Joao and Lucilia Ferreira, for improvements to 360 - 362 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand, five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
5.
 - (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 184 Kensington Avenue North demolished and the site cleared to bring the property into compliance with City of Hamilton Property Standards By-law No. 94-185 and as authorized under The Planning Act, 1990 Subsection 20, Section 31 and specifically do the work required to comply with the Final and Binding Order; and,
 - (b) That the costs incurred for the demolition, levelling, and clearing of the lands together with administrative costs be added to the tax roll; and
 - (c) That the Building Commissioner be authorized to issue a demolition permit for 184 Kensington Avenue North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended; and,
 - (d) That the attached by-law to authorize the demolition of all buildings and structures and the clearing of the lands be enacted by Council.
6. That the Building Commissioner be authorized to issue a demolition permit for 3 Dexter Avenue in accordance with By-Law No. 74-290 pursuant to Section 33 of the Planning Act, as amended.

7. (a) That approval be given to application CDM-97-02 (Regional File 25CDM-97003), Benemar Construction, owner, to establish a draft plan of condominium "Cranberry Village", located at the south-east corner of Vineberg Drive and Upper Wentworth Street and known municipally as 100 Vineberg Drive (Phase 1) and 1889 Upper Wentworth Street (Phase 2), as shown on the attached map marked as APPENDIX "C", subject to the following conditions:
 - i) That this approval apply to the plan prepared by Sidney W. Woods Engineering Inc. and certified by L.G. Woods, O.L.S., dated March 12, 1997, showing a total of 28 residential townhouse units on Phase 1 and a total of 33 residential townhouse units on Phase 2 and revised as shown in red on APPENDIX "D";
 - ii) That the Final Plan of Condominium be in strict conformity with the Site Plan approved on April 21, 1997, under application DA-97-08. This shall include revision of the Plan, so that the location of the visitor parking spaces conform with the Approved Site Plan;
 - iii) That the applicant satisfy all conditions of Site Plan approval to the satisfaction of the City of Hamilton, and enter into a Site Plan agreement with the City, prior to registration of the Phase 1 Condominium;
 - iv) That the Phase 1 and 2 Condominium Corporations be required to enter into and register on title, prior to the sale of any unit in the respective Phase, the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement, to the satisfaction of the City Solicitor;
 - v) That rezoning application ZAC-95-19 to rezone the subject lands to "R-4" (Small Lot Single-Family Dwellings) District and associated draft plan of subdivision application SAC-94-05 (25T-94010) be withdrawn by the applicant, prior to the registration of Phase 1;
 - vi) That all the required easements shown on the Draft Plan, as redlined, over both Phase 1 and Phase 2 Condominiums, be registered prior to the final approval and registration of the Phase 1 Condominium;
 - vii) That all the internal roads, within Phase 1 and Phase 2, and the access onto Upper Wentworth Street and Vineberg Drive be constructed prior to the registration of the Phase 1 Condominium.
 - viii) That Committee of Adjustment application A-97-91 be finalized, prior to the registration of Phase 1.

- ix) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.
 - (b) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.
8. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-32 A By-law To Authorize Demolition and Clearing of Buildings, Structures, or Refuse at 184 Kensington Avenue North.
 - (b) C-33 A By-law to Amend Zoning By-law No. 6593 respecting Parking Standards for Single-family Dwellings.

Section 6 (14g) amended by deleting clause (14g) and replacing it with the following:

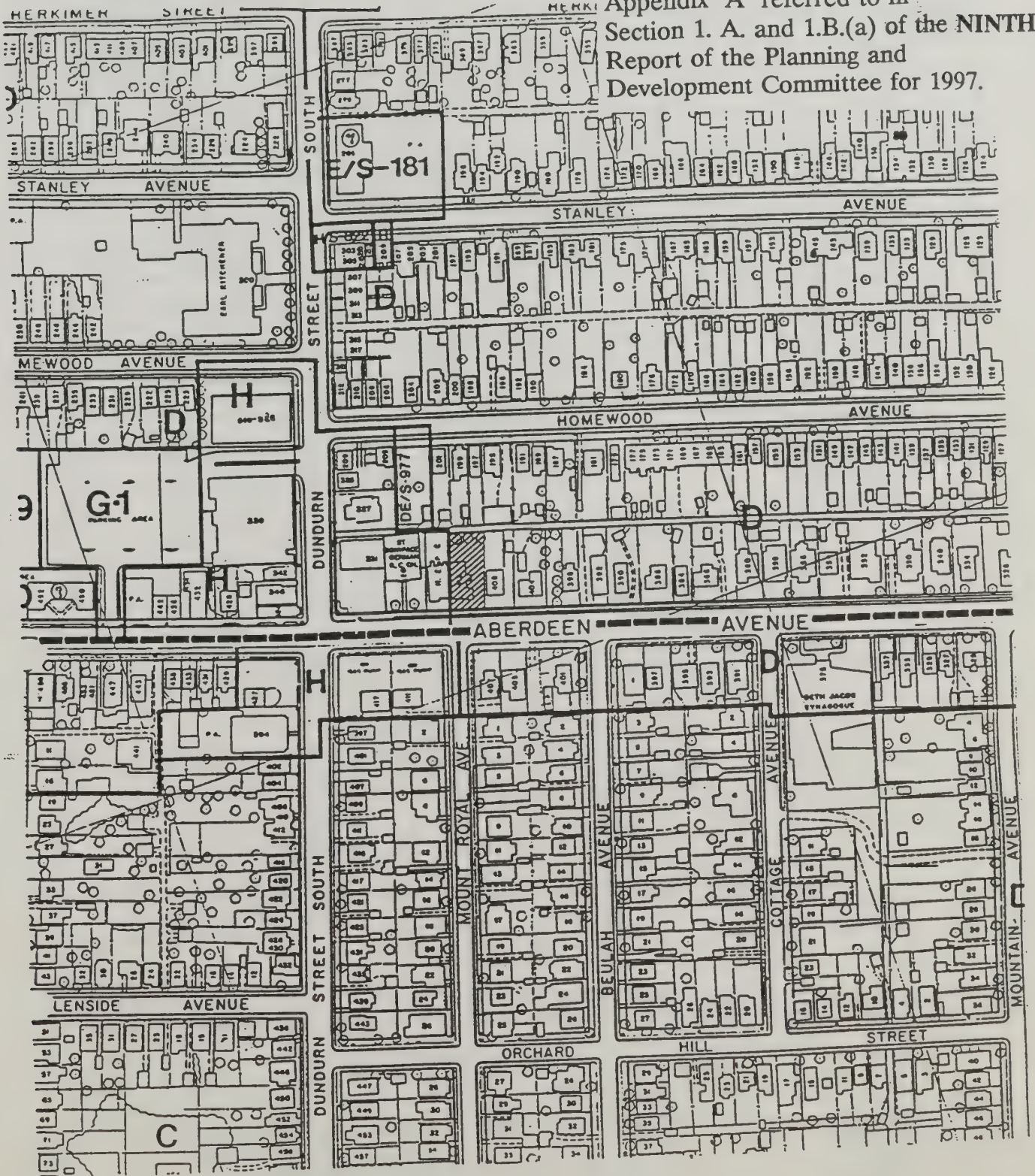
6. (14g) "Except as provided for in clauses (14a), (14b) and (14h),"....

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 May 21

Appendix "A" referred to in Section 1. A. and 1.B.(a) of the NINTH Report of the Planning and Development Committee for 1997.



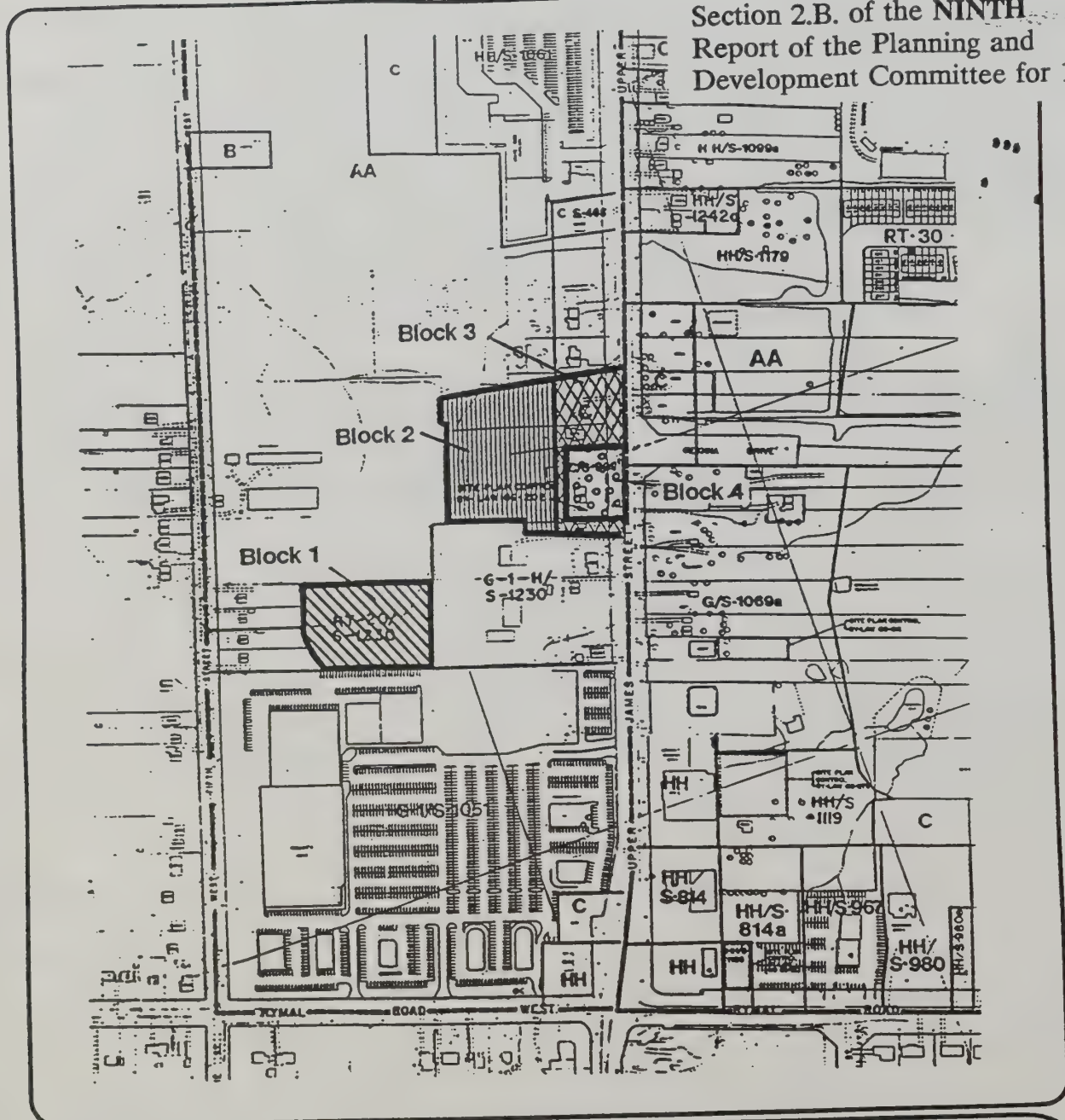
Legend



Site of the Application



Appendix "B" referred to in
Section 2.B. of the NINTH
Report of the Planning and
Development Committee for 1997.



Legend

Block 1



Change in zoning from:

From "RT-20"(Townhouse-Maisonette)District to "G-1" - 'H'
(Designed Shopping Centre - Holding)District Modified.

Block 2



From "AA"(Agricultural)District to "G-1" - 'H'
(Designed Shopping Centre - Holding)District Modified.

Block 3



From "C"(Urban Protected Residential, etc.)District to "G-1" - 'H'
(Designed Shopping Centre - Holding)District Modified.

Block 4



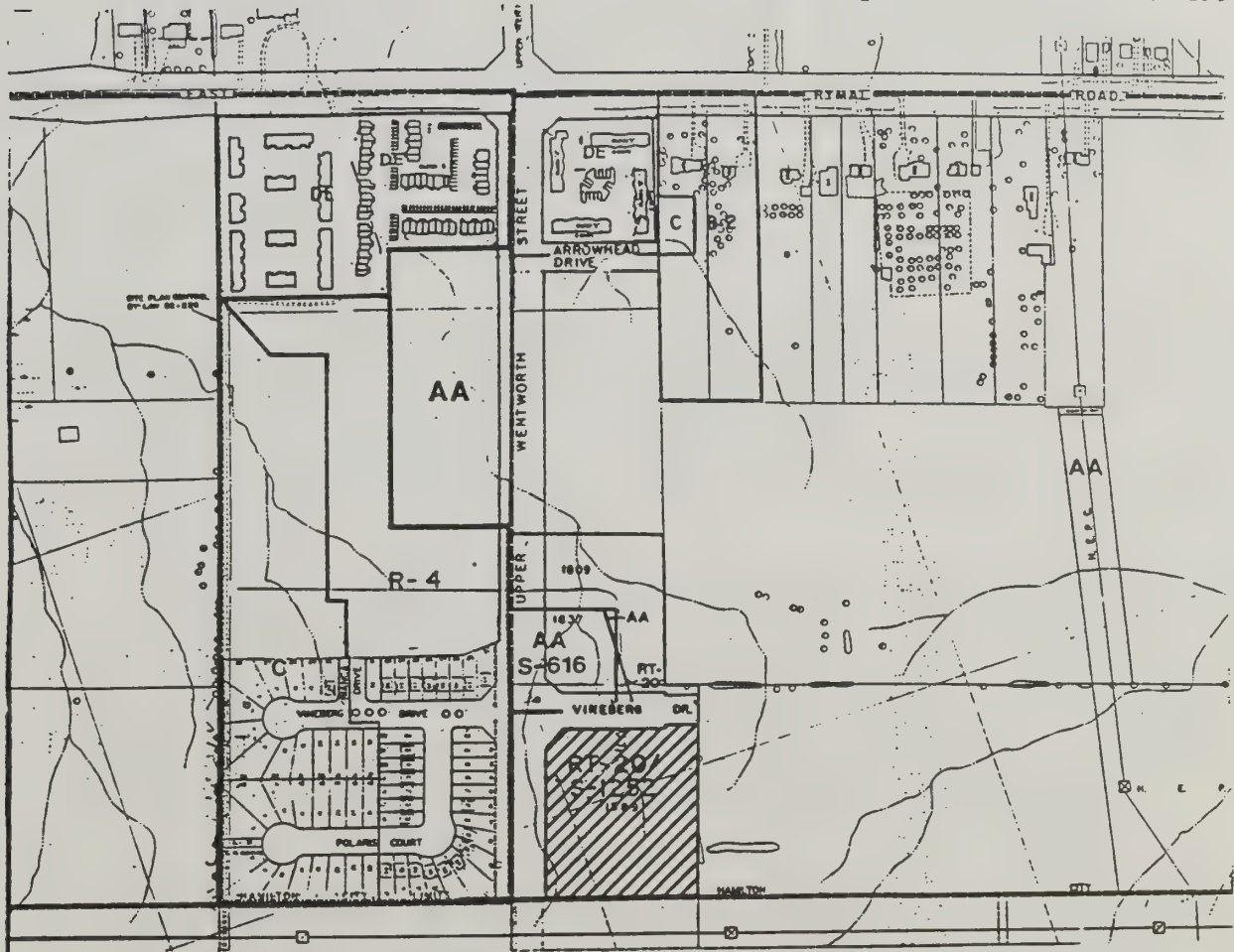
From "C"(Urban Protected Residential, etc.)District Modified to "G-1" - 'H'
(Designed Shopping Centre - Holding)District Modified.

NORTH



APPENDIX

Appendix "C" referred to in
Section 7.(a) of the NINTH
Report of the Planning and
Development Committee for 1997.



Legend



Site of the Application

CDM-97-02

APPENDIX



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1997 and respectfully recommends:

1.
 - (a) That the City settle Ontario Court (General Division) Action # 9431/95 by the payment to the Plaintiffs, Edna and Leslie John of the sum of \$6,582, inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 9431/95 be dismissed, on consent, without costs.
2. That the City, by the payment to the Plaintiff, Helen Semenuk, of the sum of \$6,955, including GST, satisfy the award of costs on Court of Appeal File C14230.
3.
 - (a) That the City settle Ontario Court (General Division) Action # 072/97 by the payment to the Plaintiff, Mary Morgan of \$2,500, inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 072/97 be dismissed without costs.
4.
 - (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 8488/96 by the payment to the Plaintiff, Walter Henry Ireson of the sum of \$350, inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Small Claims Court Action No. 8488/96 be dismissed without costs.
5. That a purchase order be issued to Grand & Toy, Hamilton, for the supply and delivery of xerographic white paper to various departments as and when required during 1997, being the lowest of eight (8) tenders received in accordance with specifications issued by the Hamilton Board of Education on behalf of the City of Hamilton and members of the Hamilton-Wentworth Co-op Purchasing Group and financed through various approved accounts.
6. That a purchase order be issued to Unisource Canada Inc., Mississauga, for the supply and delivery of janitorial paper products as and when required during 1997, being the lowest of eleven (11) bids received in accordance with specifications issued by the Purchasing Department and the Vendor's tender, and be financed through various approved accounts.
7. That the analysis of the transactions of the City's Development Charges Reserve for the year 1996 entitled "Development Charge Reserve Fund Statement of Continuity for the period 1996 January 1 to 1996 December 31", attached herewith and marked Appendix "A", be received.
8. (a) That Alderman W. McCulloch, the City's Representative on the Hamilton Veterans Committee, be authorized to attend the 55th Anniversary of the Raid on Dieppe being held in Dieppe, France on 1997 August 16-23; and,
- (b) That funding for this expenditure be charged to the Legislative Travel Account No. CH55201 10010.
9. (a) That the 1996 Financial Report for the City of Hamilton, previously distributed to members of City Council, and available from the Committee Secretary upon request, be approved; and,
- (b) That the City Treasurer publish the required 1996 Financial Information, based on the audited Report, in the Hamilton Spectator within the next 60 Days.

10. (a) That the temporary provision of Payroll Supervision Services to the Hamilton Board of Education by the City of Hamilton for a period of time until approximately 1998 March, be endorsed; and,

(b) That the City Treasurer be authorized to execute Letters of Intent, in a form approved as to content by the City Solicitor, with appropriate Board staff, to govern the arrangement including the provision of indemnification to the City by the Board and reimbursement of the City by the Board for the services provided.
11. That the Treasurer be authorized and directed to renew the Hamilton Municipal Retirement Fund Custodial Services Agreement with the Bank of Montreal for a three year term, retroactive to 1996 November 1, in accordance with the fee proposal submitted by the Bank of Montreal.
12. (a) That approval be given to issue a purchase order in the amount of \$102,559.50 inclusive of GST (\$6,709.50) to E.S.I. Lighting Controls 1020 Maitland St. London Ontario for the supply, delivery and installation of motion sensors for the City of Hamilton at various recreation facilities, this being the lowest acceptable tender received in accordance with the specifications (C15-13-97) issued by the purchasing division; and,

(b) That the cost for this project be financed from Canada/Ontario Infrastructure Works Projects Energy Management Account # CF 809453014.
13. That responsibility for the vacant street vending site on the south/east corner of York and Bay Streets (at Copps Coliseum) be transferred to H.E.C.F.I. and be operated as a vendor location by the concessionaire at Copps Coliseum subject to the following conditions:

(a) That the vending cart is to be licensed and operated under the same basic operating rules as all other vendors under the City's Street Vendor program; and,

(b) That the concessionaire is to obtain proof of insurance to cover the operation of the cart on that location and name the City and H.E.C.F.I. as added insured; and,

- (c) That H.E.C.F.I. is to continue to clean, remove litter in the entrance plaza area, remove trash from sidewalk waste containers in the same area and to clear snow from sidewalks around Copps coliseum; and,
 - (d) That this arrangement is to be reviewed at the end of 1998 when all City Street Vendor Agreements are to expire and the program's future is to be reviewed.
14. (a) That the Mayor and Clerk be authorized to execute a Municipal Capital Facility Agreement with the Art Gallery of Hamilton; and,
- (b) That the By-law to exempt the Art Gallery of Hamilton, a Municipal Facility at 123 King Street West, for municipal and school taxes be enacted; and,
- (c) That the City Clerk give Notice of passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and to the Clerk of the Regional Municipality of Hamilton-Wentworth and to the Secretaries of the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board; and,
- (d) That upon the enactment of the By-law the City Treasurer strike from the tax roll the Art Gallery's taxes from 1997 May 28, until the tax roll is amended.
15. (a) That the City Solicitor forward a demand letter to the Hamilton Harbour Commissioners requesting an accounting of excess revenue over expenditures and the payment of profits deemed surplus in standard accounting practices, by the Hamilton Harbour Commission, to the City; and,
- (b) That the City Solicitor, in the same letter to the Hamilton Harbour Commissioners, request the return of Water lots 1 and 2 to the City, as surplus to the Hamilton Harbour Commissioners' shipping and navigation activities as reflected in their Port Master Plan; and,
- (c) That the City Solicitor be authorized to engage KPMG Chartered Accountants to proceed in their review of the accounting practices of the Hamilton Harbour Commission with respect to surplus profits and surplus assets.
16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-38 A By-law to Declare: The Art Gallery of Hamilton's Municipal Capital Facility Tax Exempt.

- (b) D-39 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 May 20**

Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1996 to December 31, 1996

	Total \$	Indoor Recreation \$	Outdoor Recreation \$	Library Buildings & Materials \$	Traffic Signals \$	Parkland Acquisition \$	Vehicles & Equipment \$	Studies \$	Engineering (area specific) \$	Storm Water Retention \$	Fire Stations \$
Balance as at Jan 01, 1996	4,932,015	1,733,720	1,057,868	791,446	73,079	22,459	5,868	118	336,651	0	910,806
Development charges received or receivable	736,257	172,084	215,584	83,588	5,691	136,437	35,649	714	86,510	0	0
Development charges refunded	(1,822)	(426)	(533)	(207)	(14)	(338)	(88)	(2)	(214)	0	0
Interest earned	247,058	77,819	58,675	43,730	(709)	7,926	2,071	41	21,142	(2,499)	38,862
	5,913,508	1,983,197	1,331,594	918,557	78,047	166,484	43,500	871	444,089	(2,499)	949,668
Transferred to: Capital Fund	(124,000)	0	0	0	(74,000)	0	0	0	0	(50,000)	0
Amounts allocated: Reduction of current debentures	(600,000)	(348,569)	(99,116)	0	(18,946)	0	0	0	0	0	(133,369)
Balance as at December 31, 1996	5,189,508	1,634,628	1,232,478	918,557	(14,899)	166,484	43,500	871	444,089	(52,499)	816,299

Appendix "A" referred
to in Section 7 of the
TWELFTH Report of
the Finance and
Administration
Committee for 1997

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1997 and respectfully recommends:

1. (a) (i) That an Offer to Purchase Agreement, to be executed by the Purchaser The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and scheduled to close on or before 1997 July 28, for the lands municipally described as part of Lot 2, Plan 257, having a frontage of 13.71 metres (45.00 feet) more less, along the southern limit of Barton Street East, and a depth of 31.69 metres (104.0 feet) more or less, known municipally as 644 Barton Street East, Hamilton, with all structures erected thereon, which land was vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and that the funds derived from this sale of \$140,000 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
- (ii) That it be understood and agree that this Offer to Purchase be conditional on the Purchaser also completing the purchase of the properties located at municipal number 648/650 Barton Street East, the municipal parking lot at 128-132 Chestnut Avenue, on the date hereinafter fixed for closing; and,
- (iii) That the required deposit cheque in the amount of \$14,000 be held by the City Treasurer pending Council approval; and,
- (iv) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (v) That in accordance with Real Property Sales Procedural By-law No. 95-049:

- (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 May 27; and,
 - (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,
- (b)
- (i) That an Offer to Purchase Agreement, to be executed by the Purchaser The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and scheduled to close on or before 1997 July 28, for the lands municipally described as all of Lot 71, Registered Plan 76, having a frontage of 15.24 metres (50.00 feet) more less, along the southern limit of Barton Street East, and a depth of 31.70 metres (104.0 feet) more or less, known municipally as 648/650 Barton Street East, Hamilton, with all structures erected thereon, which land was vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and that the funds derived from this sale of \$55,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
 - (ii) That it be understood and agree that this Offer to Purchase be conditional on the Purchaser also completing the purchase of the properties located at municipal number 644 Barton Street East, the municipal parking lot at 128-132 Chestnut Avenue, on the date hereinafter fixed for closing; and,
 - (iii) That upon successful completion of this sale, a real estate commission of 6% \$55,000 sale price be paid to Royal Lepage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,
 - (iv) That the required deposit cheque in the amount of \$5,500 be held by the City Treasurer pending Council approval; and,
 - (v) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

- (vi) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 May 27; and,
 - (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
- (c)
 - (i) That an Offer to Purchase Agreement, to be executed by the Purchaser The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and scheduled to close on or before 1997 July 28, for the lands municipally described as part of Lots 3 and 4 on Registered Plan 257, having a frontage of 19.348 metres (63.48 feet) more less, along the eastern limit of Chestnut Avenue, and a depth of 30.123 metres (98.83 feet) more or less, known municipally as 128-132 Chestnut Avenue, Hamilton, also known as part of Municipal Car Park #12C, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$30,000, be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,
 - (ii) That it be understood and agree that this Offer to Purchase be conditional on the Purchaser also completing the purchase of the properties located at municipal numbers 644 Barton Street East and 648/650 Barton Street East, on the date hereinafter fixed for closing; and,
 - (iii) That it be understood and agreed:
 - (1) The Purchaser acknowledges and agrees that the Purchaser may be required to enter into, at its expense, a Site Plan Agreement with and satisfactory to the City; and,
 - (2) The Owner hereby agrees that the Purchaser may on or before the closing of the herein transaction apply for site plan approval in respect to the subject property, provided the Site Plan

Agreement is not registered on title to the property until after the closing of the herein transaction; and,

- (3) The Owner agrees that the closing of the herein transaction shall be conditional on the Purchaser receiving site plan approval from the City satisfactory to the Purchaser; and,
- (4) The Purchaser agrees that any decision by the Owner in its capacity as a municipality regarding the site plan application of the Purchaser, shall not be deemed to be bad faith on the part of the Owner in the herein transaction, and that it is also a condition on closing that the site plan approval be in terms satisfactory to the City; and,
- (iv) That the required deposit cheque in the amount of \$3,000 be held by the City Treasurer pending Council approval; and,
- (v) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (vi) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 May 27; and,
 - (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act;

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

2. That approval be granted for the hosting of a welcome reception on Tuesday, 1997 June 17th by the City of Hamilton for the Triennial Convention of the Federated Women's Institutes of Canada for an estimated cost of \$6,000 to be charged to Account No. CH 54314 - 84010 Special Receptions/Dignitaries Hosting.
3. That Alderman Chad Collins be appointed as the City representative on the Site Plan Committee for the Hamilton Harbour Commission.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Tina Agnello
Acting Secretary
1997 May 27**

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. That the appeal by Nabo Terika for reinstatement on the Taxicab Priority List be denied.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRPERSON
LICENSING COMMITTEE**

**Stella Glover
Secretary
1997 May 14**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. That Alderman M. Caplan be appointed Chairman of the Committee of the Whole for the period of June, July and August, 1997.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1997 May 27

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1997

1997 June 11

Meeting of Committee of the Whole/City Council
Wednesday, 1997 June 11
5:00 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Caplan, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins,
Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman M. Kiss - personal commitment
Alderman V. Agro - civic business
Alderman D. Drury - civic business

Mayor Morrow called the meeting to order.

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Anderson that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Copps, Wilson, Eisenberger, Charters,
Jackson, Anderson, D'Amico, Ross. -10.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - EIGHTH REPORT

606 Aberdeen
1998 Roadway and Sidewalk Improvement Program
Priority 1 and 2 Projects
Hamilton Bulldogs Reception and Celebration

Section 2 Re: 1998 Roadway and Sidewalk Improvement Program

Recorded vote.

YEAS: Aldermen Caplan, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -9.

NAYS: Mayor Morrow. -1.

CARRIED.

NOTICE OF MOTION

Alderman D. Ross gave notice that he would move at the next regular meeting of City Council the following:

WHEREAS the population of the Province of Quebec voted against separating from Canada, both in 1980 and in 1995; and

WHEREAS the current government of Quebec has repeatedly reiterated its desire to hold yet another referendum on Quebec separation; and

WHEREAS there are many loyal Canadians in Quebec who, via resolutions of their local city councils, have declared that it is their wish to remain part of Canada, irrespective of any future referendum result; and

WHEREAS those city councils have requested the support of Canadians outside Quebec in their effort to remain Canadian.

Be it resolved **THAT** the City of Hamilton supports the initiative of those municipalities in Quebec who have declared their intention to remain part of Canada irrespective of any future province wide vote for separation.

THAT the City of Hamilton demands that the government of Canada and the government of Québec clearly and unequivocally state that they support the right of federalist municipalities and regions within Quebec to remain part of Canada, today and in the future, in accordance with the legal, moral, political, constitutional, and territorial obligations of our nation.

THAT copies of this resolution be forwarded to the Prime Minister of Canada, the members of Parliament from Ontario and Québec, the members of the Provincial legislature, the Premier of Ontario, the union of Ontario municipalities, all Ontario municipalities, the Federation of Montreal Urban Community, and all municipalities on the Island of Montreal and all Provincial Municipal Associations.

It was moved by Alderman Caplan and seconded by Alderman Anderson that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -10.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:00 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 June 11
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **EIGHTH** Report for 1997 and respectfully recommends:

1. (a) That the industrial property known as 606 Aberdeen Avenue (acquired by City as a result of no bids at its tax arrears sale) be sold on an "as is" basis to 905004 Ontario Inc. (Elko Industrial Trading Corp.) at a price of \$550,000.00 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases), payable in full on closing, which closing shall be on or before 1997 August 28; and,
- (b) That in the said sale, the phrase "as is" shall include, but not be limited to:
 - (i) the existing tenants being in possession of portions of the premises on the closing date;
 - (ii) the existing two rail cars located on the premises being on the premises on the closing date;
 - (iii) any other objects, things, liquids or fixtures being on the premises as of the closing date, in addition to those belonging to tenants of the premises;
 - (iv) no warranty or representation by the City at all as to the title to, or the ownership of any of the matters referred to in clauses (ii), (iii) and (iv);
 - (v) any property of a tenant or of a former tenant on the premises may be removed from the premises before the closing date; and,
- (c) That the closing of the said sale also be conditional upon:
 - (i) the City granting to the Region a registered easement in the said property for an existing buried storm sewer (illustrated on draft plan RC-H-431 Surveys as Parts 4, 5, 6, 7, 8, 9, and 10);
 - (ii) the City paying a writ of execution against the subject property for the sum of \$10,000. plus interest and charges in favour of the Province of Ontario. (This judgment in favour of the Crown was not terminated by the tax arrears vesting of title in the City.); and,

- (d) That the said sale be carried out pursuant to an Offer to Purchase incorporating the said terms and related terms, in a form satisfactory to the City Clerk, Real Estate Division, and to the City Solicitor. The said prospective purchaser is required to execute and deliver to the City Clerk the said Offer to Purchase and provide a certified cheque for its deposit in the amount of 10% of the said sale price payable to the City of Hamilton, on or before 1997 June 17; and,
 - (e) That the Mayor and City Clerk be authorized to execute the said Offer to accept same on behalf of the City and to execute the said easement to the Region; and,
 - (f) That in compliance with the City's Real Property Sales Procedural By-law No. 95-49, it is hereby affirmed:
 - (i) 606 Aberdeen Avenue was declared surplus to the City's requirements by Council at its meeting held on February 25, 1997; further, the said proposed easement to the Region is hereby declared surplus to the requirements of the City;
 - (ii) Notice to the public of the sale of 606 Aberdeen Avenue was given by the City by listing this property with a broker; Notice of sale of the said easement is sufficiently given by inclusion of this easement sale in the Agenda of the Council meeting held to consider this recommendation;
 - (iii) an appraisal as to the value of 606 Aberdeen Ave is not required as this land is a site used for carrying on of industries and of industrial operations and incidental uses. An appraisal of the value of the said easement to the Region is not required because the easement is being sold to a regional municipality, namely The Regional Municipality of Hamilton Wentworth;
 - (iv) the City Clerk be hereby authorized to execute a Certificate of Compliance in accordance with the Real Property Sales Procedural By-law for purposes of the said sale of 606 Aberdeen Avenue and another Certificate for the said transfer of easement to the Region.
2. (a) That since the Regional Transportation Department has confirmed that it will not be possible to construct any projects on the Council approved Supplementary List in 1997 (Appendix A attached) based on projects tendered to date then the Supplementary List will become the first priority for the 1998 Roadway and Sidewalk Improvement Program.

- (b) That staff be authorized and directed to make application for funding under the Canada/Ontario Infrastructure Works Program with projects listed in Appendix B as attached to a maximum amount of \$2,090,317.
 - (c) That a portion of the 1998 Road and Sidewalk Reconstruction Program in the amount of \$2,090,317 be advanced as the new application to the Canada/Ontario Infrastructure Works Program and the City Treasurer be authorized to reduce the 1998 Roadway and Sidewalk Reconstruction Project by the corresponding amount of \$2,090,317; and
 - (d) That the City's cost of financing arrangements for this new Canada/Ontario Infrastructure Works Program, being the gross cost of \$2,090,317 less the Federal/Provincial share of \$1,393,545 in the amount of \$696,772, be financed by the issuance of debenture for a term not to exceed ten years; and
 - (e) That the additional \$1,393,545 in capital financing be forwarded for inclusion in the 1998 Roadway and Sidewalk Reconstruction Program.
 - (f) That the City Solicitor be authorized to prepare an appropriate by-law for the above project; and
 - (g) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debenture for a term not to exceed ten years as required for the above project.
3. That the following be designated as priority 1 and 2 projects on the supplementary infrastructure project list for 1997 and if sufficient funds are not available in 1997 that they be designated as priority 1 and 2 projects for the 1998 Roadway and Sidewalk Reconstruction Program:

STREET	FROM	TO	COMMENTS	ESTIMATE
West 32nd Street	Scenic	Sanatorium	- sidewalk reconstruction and repair - both sides	\$100,000
West 33rd Street	Scenic	Sanatorium	- sidewalk reconstruction and repair - both sides	\$100,000

4. That an amount of \$5 000 be allocated for a Reception and Celebration Activities in recognition of the achievements of the Hamilton Bulldogs Hockey Club and further that this amount be financed from Special Civic Receptions and Delegation Hostings Account (CH54314-84010).
5. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-08 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 June 11

Appendix "A" as referred to in
Section 2 of the Eighth Report
of the Committee of the Whole
for 1997.

Appendix A
D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
West 32nd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	\$100,000
West 33rd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	\$100,000
Ferguson Avenue North	King	King William	-road reconstruction-sidewalk reconstruction-both sides	\$300,000
Fernwood Crescent	Tenth	Ninth	-road reconstruction-sidewalk reconstruction-both sides	\$140,000
Franklin Avenue	Longwood	Parkview	-road reconstruction-sidewalk and curb reconstruction	\$219,000
East 22nd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$325,000
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides	\$421,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk repairs -both sides -in conjunction with Regional watermain work	\$448,000
East 38th Street	Mohawk	Macassa	-road reconstruction-sidewalk reconstruction-both sides	\$452,000
Wise Crescent	Grenadier	Grenadier	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	<u>\$463,000</u>
TOTAL SECTION D				\$2,968,000

Appendix "B" as referred to in
Section 2 of the Eighth Report
of the Committee of the Whole
for 1997.

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Morley Street	Parkdale	Tate	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$614,000
Fernwood Crescent	Tenth	Ninth	-road reconstruction-sidewalk reconstruction-both sides	\$140,000
Franklin Avenue	Longwood	Parkview	-road reconstruction-sidewalk and curb reconstruction	\$219,000
East 22nd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$325,000
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides	\$421,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk repairs -both sides -in conjunction with Regional watermain work	\$448,000
East 38th Street	Mohawk	Macassa	-road reconstruction-sidewalk reconstruction-both sides	\$452,000
Wise Crescent	Grenadier	Grenadier	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	<u>\$463,000</u>
TOTAL				\$3,082,000

Minutes of Hamilton City Council
Tuesday, 1997 June 24
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Morris Stupak, Life Christian Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the regular meeting held 1997 May 27th and the special meeting held 1997 June 11 were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Ms. Colleen Mooney who was recently recognized at a gathering in Toronto for winning the International Rose of Tralee Award for 1996/1997. This Award was bestowed upon her at Kerry, Ireland.

* * * * *

Mayor R. M. Morrow advised Members of Council of the passing away of Douglas Duncan, former Superintendent of Streets and Sanitation. Mr. Duncan was employed by the City from 1964 to 1994.

CORRESPONDENCE

1. Memorandum dated 1997 June 3 from R. Scott Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commission RE: Financial Statements of the Hamilton Harbour Commissioners for the year ended 1996 December 31.

Received.

2. Application dated 1997 May 30 from Sunshine Construction Inc., DiCenzo Construction, 205 Quigley Road, Unit 2, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential) One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for Blocks "1" and "2" from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block 3 for property south of Upper Horning and east of Omni Boulevard, Hamilton, Ontario.

Received.

3. Application dated 1997 May 28 from Covenant Canadian Reformed Teachers College, 245 Mohawk Road West, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 245 Mohawk Road West, Hamilton, Ontario.

Received.

4. Application dated 1997 June 2 from DiCenzo Construction Company Limited, 205 Quigley Road, Unit 2, Hamilton, Ontario for a change in zoning from "RT-20" (Townhouse-Maisonette) District to "R-4" (Small Lot Single-Family Detached) District for property north of Rymal Road East, and west of Upper Wellington Street (DiCenzo Gardens) Hamilton, Ontario.

Received.

5. Application dated 1997 June 20 from 900074 Ontario Inc., Gordon Albini, Setay Investments, 78 Queenston Road, Hamilton for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District modified for Block "1", from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District for Block

"2", from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District modified for Block "3", and from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified for Block "4" for lands located at the rear of 1451-1471 Upper James Street and south-east of DiCenzo Drive
Application for a revised draft plan of subdivision "James Mount Gardens" to create 13 lots for semi-detached dwellings (Lots 1-13), 5 blocks for street townhouses (Blocks 14-18), 1 block for commercial development (Block 23) and to establish 3 streets (25T-91007)

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Licensing Committee, be considered in Committee of the Whole with Alderman Caplan in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT

Section 2 Re: Stop up, close and sell portion of former Upper Horning Drive

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 2 of the Seventh Report of the Transport and Environment Committee for 1997 be amended by deleting Sub-Sections (b), (c) and (d) in their entirety. **CARRIED.**

* * * * *

Section 4 Re: Stop up, close and purchase a portion of 85 Mountain Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 29 Re: Hess Village Merchants Association - Hess Village "Jazz Festival"

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 29 of the Seventh Report of the Transport and Environment Committee for 1997 be amended by deleting Sub-Section (j) in its entirety and replacing it with the following in lieu thereof:

"That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the application for a Temporary Extension of Liquor Licence submitted by the Gown and Gavel, 24 Hess Street South in conjunction with the Hess Village Performing Arts Festival to take place 1997 July 10 - 20th, and that the City has no objection to the issuance of a Temporary Extension of a Liquor Licence for this event."

CARRIED.

* * * * *

Section 33 (b) (v) (2) (aa) Re: DiCenzo Construction Company Limited and Sunshine Construction Inc.

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 33 (b) (v) (2) (aa) of the Seventh Report of the Transport and Environment Committee be amended by adding the words "City of Hamilton/" before the word "Regional" in the second line.

CARRIED.

* * * * *

Section 34 Re: Offer to Purchase - Peninsula Orthodontic Services Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 35 Re: Failed retaining wall - Jackson Street West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

* * * * *

Section 41 Re: MOEE-Provincial Environmental Services Inc.'s Application - 97 Frid St.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 42 Re: Stormwater runoff - Montgomery Creek

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 42 of the Seventh Report of the Transport and Environment Committee be amended by deleting Sub-section (b) (iii) (cc) and (b) (iii) (dd). **CARRIED.**

PARKS AND RECREATION COMMITTEE - SIXTH REPORT

Section 9(a) Re: Chedoke Winter Sports Park - Core Service

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson, Merling. -3.

CARRIED.

* * * * *

Section 9(b) Re: Operate a winter downhill ski program

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Section 9(c) Re: Capital Budget Submission for 1998

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Copps, Wilson, Merling, Anderson. -4.

CARRIED.

* * * * *

Section 9(d) Re: Report outlining strategic options for civic golf courses & ski hill

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Section 9(e) Re: Advisory Council of Chedoke Hill Ski User Groups - Private sector

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Section 10 Re: Hamilton Hornet Rugby Football Club - Selling of alcoholic beverages - Mohawk Sports Park

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Section 10 of the Sixth Report of the Parks and Recreation Committee for 1997 be amended by adding the words "at Mohawk Sports Park:" after the word "Agreement" in the last line of the paragraph.

CARRIED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Charters, Jackson. -3.

CARRIED.

* * * * *

Section 11 Re: Outdoor Basketball Pad at Carter Park - Nike Canada Ltd., Altamira Foundation

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 17 Rule No. 9 Re: Lease - Macassa Bay Yacht Club

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a 20-year lease at Harbourfront to Macassa Bay Yacht Club.

CARRIED.

* * * * *

Section 17 Re: Lease - Macassa Bay Yacht Club

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the Sixth Report of the Parks and Recreation Committee for 1997 be amended by adding the following as Section 17:

- "(a) That Council's approval to a twenty year lease to the Macassa Bay Yacht Club at its meeting held on June 25, 1996 (Section 11 of the Ninth Report of the Parks and Recreation Committee for 1996) be amended to include the following terms:
 - (i) the lease shall include the following property:
 - 1.67 acres of the City's harbourfront land at the foot of Simcoe Street West; (Parts 1 and 6, 62R-14095)
 - 3.5 acres of land covered by water; (Part 10, 62R-14095)
 - a right of way from Bayfront Drive to the leased property; (Parts 7, 8, 9, 11, 12 and 13, 62R-14095); and,
 - (ii) the lease shall permit the Club, our Tenant, to mortgage its Lease from the City - to a lender as security for the lender's loan to the Tenant to finance improvements to the leased premises. This right shall be

conditional upon: the loan amount and terms being reasonable in the opinion of the City as Landlord; and on the prospective Mortgagee entering into a Mortgage Approval Agreement with the City as Landlord to covenant that if the Mortgagee (or its assignee) enters the leased premises, it shall comply with the Lease; and,

- (b) That in accordance with the said Lease provisions on the Club's mortgage of its lease to a lender, that the City as Landlord, approve the Tenant's granting a mortgage of the Lease to the Royal Bank of Canada as security for the Bank's loan to the Club to finance a new clubhouse; and,

Such loan shall not exceed \$250,000 and shall be amortized and repayable within the lease term. During construction, interest on such loan shall be at the Royal Bank's prime commercial lending rate plus one and a quarter percent and during the balance of the loan term, interest shall be either the Bank's commercial lending rate applicable to a loan period selected by the Tenant or at a variable floating rate, the Bank's prime commercial lending rate plus one percent; and,

- (c) That the Mayor and City Clerk be authorized and directed to execute the said Mortgage Approval Agreement with the Tenant and the Royal Bank of Canada in a form satisfactory to the City Solicitor." **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - TENTH REPORT
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Section 5(b) Re: Appendix "G"

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 5(b) of the TENTH Report of the Planning and Development Committee for 1997 be amended by deleting Appendix "G" and replacing it with the Revised Appendix "G" attached hereto.

CARRIED.

* * * * *

Section 6 Re: Wesley Urban Ministries - 195 Ferguson Avenue

Recorded vote on Section 6 before amendment:

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross -12.

NAYS: Aldermen Agro, McCulloch, Drury, Morelli, Copps. -5. **CARRIED.**

* * * * *

Amendment to Section 6 Re: Wesley Urban Ministries - 195 Ferguson Avenue

It was moved by Mayor Morrow and seconded by Alderman Ross that Section 6 of the Tenth Report for 1997 of the Planning and Development Committee be amended to add sub-section (B) as follows:

(B) That the appropriate staff work with the Wesley Centre to look for viable alternate locations for the Centre. **CARRIED.**

* * * * *

Section 9 Re: B.I.A. - Model Constitution

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 9 of the Tenth Report of the Planning and Development Committee for 1997 be referred back. **CARRIED.**

* * * * *

Section 20 Re: Introduction of Bills.

It was moved by Alderman Drury and seconded by Alderman D'Amico that Item 20 of the TENTH Report of the Planning and Development Committee for 1997 be deleted and replaced with the following:

20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-34 A By-law to Adopt Official Plan Amendment No. 139 Respecting Lands Located at 412 Aberdeen Avenue Within the Kirkendall North Neighbourhood.

- (b) C-35 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 412 Aberdeen Avenue.
- (c) C-36 A By-law to Adopt Official Plan Amendment No. 138 Respecting Lands Located at the South-west Corner of Rymal Road East and Ryckman Street Known Municipally as No. 30 Rymal Road East Within the Allison Neighbourhood.
- (d) C-37 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 89-246 Respecting Land Located at the South-west Corner of Rymal Road East and Ryckman Street Known Municipally as No. 30 Rymal Road East.
- (e) C-38 A By-law to Adopt Official Plan Amendment No. 140 Respecting Lands West of Upper James Street, South of Stone Church Road West, Mewburn Neighbourhood.
- (f) C-39 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1170-1180 Upper James Street.
- (g) C-40 A By-law to Remove Land Within the "Rymal Estates" Subdivision, Plan 62M-679 from Part Lot Control.
- (h) C-41 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the North Side of Barton Street West, East of Crooks Street.
- (i) C-42 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located West of Upper James Street and East of West Fifth Street, the Rear Portion of 1187 West Fifth Street and 1514 Upper James Street and 1468-1500 Upper James Street.
- (j) C-43 A By-law to Adopt the Downtown Hamilton Community Improvement Plan.
CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FOURTEENTH REPORT

Rule No. 9 Re: Panhandling and loitering

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the City Solicitor being requested to review the City of Kingston's By-law respecting Streets as it pertains to panhandling and loitering.
CARRIED.

* * * * *

Section 27 Re: Panhandling and Loitering By-law

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 27 of the Fourteenth Report for 1997 of the Finance and Administration Committee:

27. That the City Solicitor be requested to review the section of the City of Kingston By-law respecting Streets pertaining to panhandling and loitering and report back to the next meeting of the Finance and Administration Committee. **CARRIED.**

LICENSING COMMITTEE - FOURTH REPORT

ACTING MAYOR FOR THE MONTH OF JULY, 1997

It was moved by Alderman Kiss and seconded by Alderman Agro that Alderman D. Wilson be appointed Acting Mayor for the month of July, 1997.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Wilson, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 10:00 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 June 24
JJS/dg

3.
 - (a) That the alteration of Limeridge Road in the vicinity of Upper James Street, Upper Wentworth Street and Upper Gage Avenue be proceeded with; and,
 - (b) That an appropriate by-law to give effect to the alteration be passed and enacted.

4. That the application, to stop-up, close and purchase a portion of north/south assumed alley at the rear of No. 85 Mountain Avenue, be approved, subject to the following conditions:
 - (a) That the Commissioner of Transportation be directed to prepare a By-law to stop-up, close and sell the portion of the north/south assumed alley at the rear of No. 85 Mountain Avenue; and,
 - (b) That the Commissioner of Transportation be directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 44 of the Regional Municipalities Act R.S.O. 1990; and,
 - (c) That the applicant prepare and register a reference plan under the Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor; and,
 - (d) That the Manager of the Real Estate Division of the City Clerk's Department be authorized to proceed with the disposition of the subject lands to the abutting owner at market value; and,
 - (e) That the applicant provide a 12m easement to the Region for the existing 900mm combined sewer in the subject walkway; and,
 - (f) That the applicant provide an easement in favour of Bell Canada for their overhead plant in the subject walkway; and,
 - (g) That the City Clerk be directed to publish a notice pursuant to Section 300 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

Recorded vote on Section 4.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Kiss. -1.

CARRIED.

5. That the existing "No Stopping" regulation on the east side of Beland Avenue South, commencing at Queenston Road and extending to a point 100 feet northerly therefrom, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That the existing "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Cathcart Street commencing at a point 44 feet north of Wilson Street and extending to a point 28 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
7. That the by-law entry allowing for a "Wheelchair Loading Zone, 8:00 a.m. - 8:00 p.m., Monday - Friday" regulation on the east side of Prospect Street South commencing at a point 181 feet south of Main Street East and extending to a point 26 feet southerly therefrom be rescinded.
8. That the existing "Permit Parking" regulation on the east side of Fairfield Avenue commencing 343 feet south of Britannia Avenue and extending to a point 18 feet southerly be relocated such that the regulation commences 216 feet south of Britannia Avenue and extends to a point 24 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That a "No Parking" regulation be implemented on the south side of Roanoke Place between Paradise Road North and the easterly end and on the north side commencing 92 feet east of Paradise Road North and extending to the easterly end, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Devonport Street between Tom Street and York Boulevard and on the east side of Devonport Street between Tom Street and a point

171 feet south of York Boulevard be revised, such that the regulation is in effect until 9:00 p.m., seven days a week, and that the City Traffic By-law No. 89-72 be amended accordingly.

11. That a full-time "Wheelchair Loading Zone" regulation be implemented on the east side of Colin Crescent commencing at a point 64 feet north of Towercrest Drive and extending to a point 40 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
12.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Montmorency Drive commencing 312 feet west of the extended west curb line of Montmorency Drive and extending to a point 18 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Richard Melanson, No. 260 Montmorency Drive, Unit 310.
13. That the existing "Permit Parking" regulation on the east side of Park Row North commencing at a point 79 feet south of Roxborough Avenue and extending to a point 21 feet southerly therefrom be replaced with a "Wheelchair Loading Zone, 8:00 a.m. to 6:00 p.m., Seven Days a Week" regulation and that the City Traffic By-law No. 89-72 be amended accordingly.
14. That a "No Parking" regulation be implemented on the north side of Hunter Street West commencing at Locke Street South and extending to a point 87 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That a full-time "One Hour Parking Time Limit" regulation be implemented on the south side of Nelson Street between Locke Street South and Pearl Street South and that the City Traffic By-law No. 89-72 be amended accordingly.
16. That the existing "Permit Parking" regulation on the east side of Province Street North commencing at a point 62 feet north of Cannon Street East and extending to a point 20 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That the hours of the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Ferguson Avenue South, south of Hunter Street East be revised such that the regulation is in effect 24 hours a day, seven days a week and that the City Traffic By-law No. 89-72 be amended accordingly.
18. That a full-time "One Hour Parking Time Limit" regulation be implemented on the north side of Keith Street commencing at Wentworth Street North and extending to a point 157 feet westerly therefrom and on the south side commencing at Wentworth Street North and extending to a point 162 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
19. That eastbound traffic on Montrose Avenue be required to stop for northbound and southbound traffic on Erin Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
20. That three-way stop control be implemented at the northwest intersection of Acadia Drive and Butler Drive for a trial period of one year.
21. (a) That the following Hamilton Street Railway bus stop be installed:

Route No. 4 Bayfront

Add - Northbound Nash Road, east side, 545 north of Denten Street (M/B)

(b) That the City Traffic By-law No. 89-72 be amended accordingly.
22. (a) That the existing by-law entry for a weight restriction on the Mountain Park Avenue bridge over the Sherman Cut, be rescinded; and,

(b) That an appropriate by-law to amend the City Traffic By-law No. 89-72 be enacted and forwarded to the Ministry of Transportation.
23. That the action of the Senior Director, Roads Division, be confirmed in authorizing the erection of a banner over Main Street West from 1997 May 26 to 1997 June 2, with the following message:

"Cystic Fibrosis...the Fight of Their Lives".

24. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 88 of The Registry Act, R.S.O. 1990, for an order to stop-up, close and sell the unopened public walkway between No. 61 and No. 62, known as Harbottle Court; and,
- (b) That the Senior Director, Roads be directed to sign an affidavit setting out that no public funds have been expended on the portion of walkway to be closed; and,
- (c) That the documentation regarding the application to the District Court Judge be prepared by the City of Hamilton Law Department; and,
- (d) That the City prepare and register a reference plan under the Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and,
- (e) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act; and,
- (f) That the Manager of Real Estate Division City Clerk's Department be authorized to proceed with the disposition of the subject lands to the abutting owners; and,
- (g) That Starward Homes Ltd. be relieved of any obligation to construct the walkway; and,

Provided the Judge's Order to close the unopened road allowance is granted:

- (i) That the Commissioner of Transportation be directed to prepare a by-law for the sale of the closed unopened walkway to the abutting owner; and,
 - (ii) That the City Clerk be directed to publish a notice pursuant to Section 300 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law; and,
25. (a) That the following City land be incorporated into the following streets:

Pritchard Road	Parts 1 and 6	Plan 62R-14013
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Lorenzo Drive	Part 1	Plan 62R-13866
Rouge Hill Court	Block B	Plan M-47
Bolzano Court	Block 14	Plan 62M-801
Chesley Street	Part 1	Plan 62R-13265
Limeridge Road	Part 13	Plan 62R-11742; and,

- (b) That the By-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.

26. That the application of the Communita Racalmutese Maria SS Del Monte Festival Committee (P. O. Box 83005 Jamesville Hamilton L8L 8E8) to temporarily close the following City streets:

- (a) Saturday June 21

Murray Street East between James Street and Hughson Street
Murray Street West between James Street and MacNab Street
James Street between Barton Street and Strachan Street
from 5:00 o'clock p.m. to 12:00 o'clock midnight; and,

Sunday June 22

- (b) MacNab Street between Barton Street and Murray Street
Murray Street between MacNab Street and James Street
Main Street between James Street and Bay Street
James Street between Barton Street and Strachan Street
from 10:00 o'clock a.m. to 1:00 o'clock p.m.; and,

Murray Street between Bay Street and James Street
James Street between Barton Street and Strachan Street
from 2:00 o'clock p.m. to 6:00 o'clock p.m.; and,

MacNab Street between Barton Street and Murray Street
Murray Street between MacNab Street and James Street

Main Street between James Street and Bay Street
James Street between Barton Street and Strachan Street
from 10:00 o'clock a.m. to 1:00 o'clock p.m.

in order to hold their annual festival/parade, be approved, subject to the following conditions:

- (i) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (ii) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
- (iii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (iv) That all barricading be supplied by and at the expense of the applicant; and,
- (v) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
- (vi) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
- (vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,

- (ix) That the applicant be granted extension to the City of Hamilton Noise By-law No. 79-292 and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the event, at the expense of the applicant.
27. That Section 5 of the Seventeenth Report of the Transport and Environment Committee for 1987, adopted by City Council on 1987 November 24, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry Act R.S.O. 1990, on behalf of W. Fluke, for an order Closing the north\south alley between Province Street and Graham Avenue from the east/west alley to 18.28m south of Monterey Avenue, be rescinded.
28. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved during the pleasure of Council, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.
29. That the application of the Hess Village Merchants Association to temporarily close Hess Street between King Street and Main Street from Wednesday, 1997 July 9 at 10:30 o'clock a.m. to Monday 1997 July 21 at 12:00 o'clock noon, to hold the annual Hess Village "Jazz Festival", be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton

harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (d) That all barricading be supplied by and at the expense of the applicant; and,
- (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
- (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,
- (i) That the applicant be granted extension to the City of Hamilton Noise By-law No. 79-292 and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the event, at the expense of the applicant; and,
- (j) That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the application for a Temporary Extension of Liquor Licence submitted by the Gown and Gavel, 24 Hess Street South in conjunction with the Hess Village Performing Arts Festival to take place 1997 July 10 - 20th, and that the City has no objection to the issuance of a Temporary Extension of a Liquor Licence for this event. **REPLACED.**

30. That the application of A. Bradford, agent for the Regional Municipality of Hamilton-Wentworth, Economic and Development Department (1 James Street South) to temporarily close the following City streets on Saturday 1997 July 12 from 5:00 o'clock p.m. to Sunday 1997 July 13 to 10:00 o'clock p.m.:

Bay Street North between Burlington and Guise
MacNab Street North between Burlington and Guise
James Street North between Burlington and Guise
Hughson Street North between Burlington and Guise
John Street North between Burlington and Guise
Catharine Street North between Burlington and Guise
Mary Street between Burlington and Guise
Ferguson Avenue North between Burlington and Guise
Guise Street between Bay and Ferguson
Wood Street between Bay and Burlington
Brock Street between Mary and Hughson

for the annual Greater Hamilton Aquafest, be approved, provided:

- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the City of Hamilton and the Region as an added insured party, with a provision for cross liability and holding the City of Hamilton and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (d) That all barricading be supplied by and at the expense of the applicant; and,
- (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
- (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
- 31.
- (a) That the City of Hamilton transfer 0.30 metre reserves, shown as Part 1 and Part 2 on Reference Plan 62R-10900 to the adjacent landowners of No. 190 Annabelle Street (James and Dorothy Zaborsky) as all conditions with regard to the 0.30 metre reserves under Land Division Committee Applications H-18-96 and H-19-96 have been satisfied under the lands for the reserve are in excess of the maximum road allowance width; and,
 - (b) That the Manager of the Real Estate Division of the City Clerk's Department be authorized and directed to prepare and register the necessary transfer documents for these reserves; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute any required documents for the transfer of the reserves, subject to the approval of the City Solicitor.
- 32.
- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in "Rymal Square Estates - Phase 7, Hamilton, City's share -NIL-, Owner's share \$178,199.25 and the submitted schedules of works be adopted for inclusion in the Modified Subdivision Agreement with the Owner for the estimated costs of services in "The Meadows at Sandrina Gardens - (Phase 1, South), Hamilton, City's share -NIL-, Owner's share \$16,000, be approved; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Rymal Square Estates - Phase 7, and The Meadows at Sandrina Gardens (Phase 1, South), Hamilton as well as and any other related documents to these developments subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement and or Modified Subdivision Agreement have been registered; and,
 - (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement and or Modified Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

33. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:

"the lands comprised of part of Upper Horning Road to be closed being Part 5, Plan 62R-9295, on Schedule "A" attached to the Agreement, being vacant land and comprising a total area of 0.051 hectares (0.12602 acres), more or less"; and,

- (b) (i) That an Offer to Purchase (Highway Closure), duly executed by DiCenzo Construction Company Limited and Sunshine Construction Inc., on 1997 June 2 and scheduled to close within thirty (30) days after the completion of the conditions as set out in the Agreement, for the lands comprised of part of Upper Horning Road to be closed being Part 5, Plan 62R-9295, on Schedule "B" attached to the Agreement, being vacant land and comprising a total area of 0.051 hectares (0.12602 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$12,600 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases(Sales)); and,
- (ii) That the required deposit cheque in the amount of \$1,260 be held by the City Treasurer pending Council approval; and,
- (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
- (1) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (2) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,

(v) That the said property transactions are subject to the standard highway conditions in the Offer and to the additional conditions set out in Schedule "B" attached to the Agreement as follows:

(1) DiCenzo Construction Company Limited and Sunshine Construction Inc. acquiring title to Block 49, Plan 62M-611 and to Part 2, Plan 62R-9295, also known as 855 Upper Horning Road from Anwar Zurar; and,

(2) DiCenzo Construction Company Limited and Sunshine Construction Inc.:

(aa) agree upon the closing of the transaction to re-imburse the City of Hamilton\Regional Municipality of Hamilton-Wentworth recovery costs for sewer, water and roads:
AMENDED.

(i) the maximum amount of \$16,044.71 (subject to confirmation by the purchaser) for the westerly portion of Part 5, Plan 62R-9295, now abutting Omni Boulevard; and,

(ii) the maximum amount of \$38,463.17 (subject to confirmation by the purchaser) for the southerly portion of Part 5, Plan 62R-9295, now abutting Stone Church Road West; and,

(bb) agree that this Agreement may not be assigned to a third party.

34. (a) (i) That an Offer to Purchase (Highway Closure), duly executed by Peninsula Orthodontic Services Inc. (Lynne Smith, President), on 1997 May 27, and scheduled to close on or before 1997 December 10, for the lands composed of part of Garside Avenue as closed by Parcel A of the City of Hamilton By-law 7408 and registered as 1633 By-law, Registered Plan 520, designated as Part 1 on Plan 62R-13955, comprising an area of 275.9 square metres (2,969.86 square feet), municipally known as No. 1453 Main Street East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the

funds derived from this sale of \$27,500 be credited to Account No. CH4X999 00102 (Sale - Reserve for Property Purchases); and,

- (ii) That the required deposit cheque in the amount of \$2,750 be held by the City Treasurer pending Council approval; and,
- (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (1) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (2) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,
- (b) That the Commissioner of Transportation be authorized and directed to prepare a By-law to incorporate Part 2 of Plan 62R-13955 into Garside Avenue to the satisfaction of the City Solicitor.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

35. (a) That the Commissioner of Public Works and Traffic be authorized to reconstruct the failed retaining wall on Jackson Street West in a fashion which reinstates its visual heritage characteristics and meets current engineering practices; and,

- (b) That in order to ensure that the retaining wall is reconstructed to meet the City of Hamilton's heritage and engineering standards, the full financial responsibility for the reconstruction be borne by the City, in an amount estimated to be \$150,000; and,
- (c) That the Finance and Administration Committee be requested to recommend an appropriate source of funding; and,
- (d) That the Region's Commissioner of Transportation be requested to undertake these works on behalf of the City with the exception of the tree removals and replanting, and the removal and reinstatement of the historic stone facade; and,
- (e) That the Commissioner of Public Works and Traffic be authorized to remove five trees which cannot be preserved during the reconstruction of the wall, recognizing that two of these trees are private and have the consent of the property owners and that the remaining three are City trees and further that all five will be replaced by replanted large caliper trees on the adjacent road allowance at a combined cost of \$5,400 being a component cost of the overall project estimate of \$150,000; and,
- (f) That the City of Hamilton enter into an agreement with the Brick Layers' and Masons' Local 1 and LIUNA Local 837 satisfactory to the City Solicitor to manage performance and liability matters such that the Brick Layers' and Masons' Local 1 and LIUNA Local 837 may undertake the removal and reinstatement of the heritage stone facade as a training exercise for apprenticing masons at a cost not to exceed \$20,000 being a component of the overall project estimate of \$150,000; and,
- (g) That in return for, and as a condition of the City agreeing to reconstruct this retaining wall, the four abutting homeowners who's residences are known municipally as Nos. 2, 6, 10 and 14 Wesanford Place, shall be required to grant the City an easement, (for \$2) in a form satisfactory to the Commissioner of Public Works and Traffic and to the City Solicitor, under which,
 - (i) the City is permitted to install and maintain within a portion of each homeowner's abutting rear yard (not exceeding thirty feet from its Jackson Street lot line), such parts of the replacement retaining wall, its foundations and related appurtenances as may be required, including grading the said portion of the abutting homeowner's rear yard; and,
 - (ii) each abutting homeowner shall agree to refrain from taking any action or making any improvements within 30 feet of their Jackson Street lot line which may interfere with the structural stability of the City's

replacement retaining wall, including, no heavy loads, alterations to drains and grades established by the City, etc.; and,

- (iii) the City is also permitted a temporary easement upon the balance of each homeowner's lot, (in addition to the said permanent easement in the said thirty foot portion), for the purpose of working on installation of the replacement retaining wall with its equipment, workers and supplies; and,
- (iv) the Mayor and City Clerk be hereby authorized to execute the said easements in favour of the City, which easements shall be registered on title to each abutting property.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

- 36. That the Commissioner of Public Works and Traffic be authorized to undertake a pilot project in 1997 towards resolving the outstanding mountable curb replacement list currently at 89 locations, through a procedure which laminates a new layer of concrete over top of the existing driveway approach, in lieu of the existing practice of complete approach and sidewalk removal and replacement.
- 37.
 - (a) That the City's share of the cost of the local improvement finished roadway and curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72m easterly be increased from \$35,350 to \$45,350 and that this additional \$10,000 being part of the provision of the City's share of Local Improvement projects be financed from the 1997 Capital Levy (Account Centre No. CH22002); and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to prepare a By-law in a form satisfactory to the City Solicitor for enactment by Council to carry out the necessary amendments to By-law No. 93-201.
- 38. That the Commissioner of Public Works and Traffic be directed to implement the reconstruction of the City sidewalks on the north side of King Street from James Street to Mary Street in accordance with the attached Appendix "B".

39.
 - (a) That a purchase order be issued to Maglin Furniture Systems, Woodstock, Ontario, in the amount of \$18,356.50 plus applicable taxes and contingency for a total of \$26,859.98 for the supply of garbage receptacles for the redevelopment of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications C16-2297; and,
 - (b) That a purchase order be issued to Trystan, Ayr, Ontario, in the amount of \$4,800 plus applicable taxes and contingency for a total of \$6,670 for the supply of cast tree grate inserts for the redevelopment of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications C16-2297; and,
 - (c) That a purchase order be issued to Toronto Fabricating & Mfg. Co., Mississauga, Ontario, in the amount of \$2,100 plus applicable taxes and contingency for a total of \$3,565 for the supply of cast bicycle rings for the redevelopment of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications C16-2297; and,
 - (d) That a purchase order be issued to Maglin Furniture Systems, Woodstock, Ontario, in the amount of \$39,855.60 plus applicable taxes and contingency for a total of \$51,583.94 for the supply of cast benches for the redevelopment of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications C16-2297; and,
 - (e) That the above purchase orders represent components of the Downtown Hamilton Improvement Plan - Phase I in accordance with specifications C16-2297 issued by the Purchasing Division and Vendor's tender, and be financed from Capital Funds Account No. CF5207 609755033; and,
 - (f) That the Mayor and City Clerk be authorized to execute the associated contracts in a form satisfactory to the City Solicitor.
40. That the following City initiatives be approved to maximize on-street parking and to improve overall parking conditions in the downtown core:
 - (a) That parking meters be installed on the following City Streets:
 - (i) east side of Mary Street from King Street to King William Street (3 hour duration)

- (ii) north side of King William Street from John Street to Wellington Street (3 hour duration)
 - (iii) west side of Catharine Street from Jackson Street to Rebecca Street (1 hour duration), except during rush hours
 - (iv) west side of Jarvis Street from King William Street to the southerly end (3 hour duration); and,
- (b) That Regional Council be requested to install parking meters on the following Regional Roads:
- (i) south side of York Boulevard from Bay Street to east of MacNab Street (1 hour duration)
 - (ii) north side of the north branch of King Street in the bay immediately west of Catharine Street (30 minutes duration)
 - (iii) west side of John Street from Rebecca Street to King William Street (30 minutes duration)
 - (iv) north side of Main Street from Walnut Street to Ferguson Avenue (30 minutes duration) except during rush hours
 - (v) north side of Main Street from John Street to Catherine Street (30 minutes duration) except during rush hours; and,
- (c) That Regional Council consider installing 1 hour parking meters on the north side of York Boulevard from Bay Street to James Street on an interim basis at least until the completion of the Region's Downtown Transportation Plan; and,
- (d) That, in accordance with the request of the International Village BIA, the duration of the existing parking meters on the east side of Jarvis Street from King William Street to the southerly end be changed from 2 hours to 3 hours; and,
- (e) That, in accordance with the request of the International Village BIA, the Regional Council be requested to change the duration of the existing parking meters on both sides of King Street from Mary Street to Wellington Street from 30 minutes to 1 hour; and,

- (f) That Regional Council be requested to implement a "One Hour Parking Time Limit" (signed) in the bays on the south side of the south leg of King Street from James to John Streets and "No Parking - Loading Only" on the south side outside of the bays for a temporary period of about ten weeks commencing 1997 June 22, while H.S.R. buses are being rerouted away from Gore Park; and,
 - (g) (i) That a taxi stand to accommodate five taxis be designated on the north side of the south leg of King Street in front of the Royal Connaught Howard Johnson Plaza Hotel, and that Regional Council be requested to remove the existing four taxi stands from King Street in the area between James and Catharine Streets; and,
 - (ii) That the Commissioner of Public Works and Traffic be authorized to remove five trees and five flagpoles in front of the Royal Connaught Howard Johnson Plaza Hotel to facilitate the taxi stand change, recognizing that Hotel management is in favour of this action; and,
 - (h) That the City Traffic By-law No. 89-72 be amended to reduce the minimum "No Stopping" clearances at traffic signals to 20 feet and that Regional Council be requested to reduce the minimum traffic signal clearances on Regional roads accordingly; and,
 - (i) That the hourly rate for parking meters on City streets in the downtown core area (bounded by Bay, York/Wilson, Wellington and Jackson) be reduced from one dollar per hour to 50 cents per hour and that Regional Council be requested to reduce the rates on Regional roads accordingly; and,
 - (j) That the City Traffic By-law No. 89-72 be amended accordingly, including provisions for corner clearances at non-signalized intersections to be determined upon installation of the additional on-street parking meters.
41. (a) That a copy of the report to the Transport and Environment Committee dated 1997 June 10 be forwarded to the West Central Branch of the Ministry of Environment and Energy (MOEE), as per their request, for consideration with respect to Provincial Environmental Services Inc.'s Application for a Certificate of Approval No. A650121; and,
- (b) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the proponent's application for a Provisional Certificate of Approval to the City of Hamilton; and,

- (c) That the Ministry of Environment and Energy be advised that the City of Hamilton position identifying a list of concerns to Provincial Environmental Services Inc. receiving a Certificate of Approval for a Waste Disposal Site (Processing) for the site located at No. 97 Frid Street, Hamilton, approved by City Council on 1996 December 10 be reiterated and the Ministry of Environment and Energy be urged to not issue a Certificate of Approval until the identified concerns have been addressed.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1.

CARRIED.

- 42. (a) Regarding the management of stormwater runoff to the Montgomery Creek resulting from future residential development within the proposed Albion Mills Estates Subdivision, Red Hill Vista Subdivision (Valery Construction), and adjacent land owned by Ontario Realty Corporation:

- (i) It is recommended that the City, in its capacity of stormwater regulatory authority, endorse the following approach recommended in the Environmental Study Report prepared by Philips Planning & Engineering as the preferred method for managing Montgomery Creek stormwater:

- (a) Bio-Engineered Treatment of the low-flow channel of the creek on the Glendale Golf Course property; and,
- (b) Construction of a water quality facility, a "constructed wetland"; and,
- (c) Construction of an erosion control facility, a "wet pond"; and,
- (d) Relocation of existing golf course features, greens and tees; and,

- (ii) That staff be authorized to file the said Environmental Study Report for the 30-day review period in compliance with the Municipal Engineers Association "Class Environmental Assessment" requirements; and,

- (iii) That staff from Regional Environment, Public Works, Treasury and Law Departments be authorized to investigate and prepare a report on the financial arrangements required to implement the stormwater management plan; and,
- (b) Regarding sixteen acres of land owned by the City located within the said Montgomery Creek watershed area, between the north limit of Mud Street and the brow of the escarpment, along Hamilton's easterly boundary with Stoney Creek, shown on the map attached hereto as Appendix "C":
 - (i) That the Planning and Development Committee be requested to authorize the Planning and Development Department to prepare a report to the Committee for a re-zoning of this City land, as a City initiative, from "A" (Conservation, Open Space, Park and Recreation) District to "B-2" (Suburban Residential, etc.), and "R-4" (Small Lot Single Family Detached) fronting on Mud Street; and,
 - (ii) That the Regional Environmental Department prepare and apply for draft plan of subdivision approval for the City land, including the completion of the Environmental Impact Statement; and,
 - (iii) That the Finance and Administration Committee be requested to authorize:
 - (aa) The City Treasurer to recommend a source of funding for expenditures necessary to obtain draft plan approval, to an amount not to exceed \$23,800; and,
 - (bb) This funding be reimbursed from the proceeds of the sale of the "Albion Mills Estates" land; and,
 - (iv) That the City Solicitor be authorized to take steps to have this City owned land registered under the Land Titles Act. **AMENDED.**
- 43. (a) That the proposed roadway improvements on Centennial Parkway and Arrowsmith Road and at the west end of Cascade Street, as a result of construction of a proposed commercial development on the east side of Centennial Parkway be advertised in accordance with the requirements of the Municipal Act; and,

- (b) That Real Estate Division, City Clerk's Department, be authorised to negotiate the acquisition of a parcel of land at the north-west corner of Centennial Parkway and Arrowsmith Road; and,
 - (c) That The Home Depot be advised of these actions.
- 44.
- (a) That the area of the lands to be conveyed to Loblaws Inc., pursuant to an Offer to Purchase dated 1997 April 30, accepted by City Council on 1997 May 13 in accepting Section 25 of the Fifth Report of the Transport and Environment Committee for 1997, be reduced by a perpendicular width of two and half (2.5) metres from the most westerly boundary of Part 1 on Plan 62R-14097 and that the purchase price be reduced by \$5,000; and,
 - (b) That Council ratify the decision of the Transport and Environment Committee to grant to the purchaser, Loblaws Inc., an Authority to Enter, in a form acceptable to the City Solicitor, permitting access and construction on the lands described as Part 1, 2, 3 and 4, 62R-14097, to be executed by Loblaws Inc.
45. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-35 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (b) A-36 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (c) A-37 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (d) A-38 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (e) A-39 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (f) A-40 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (g) A-41 A By-law to Alter Limeridge Road at its intersection with the Red Hill Creek Expressway on the east and west sides of Upper James Street, Upper Wentworth Street and Upper Gage Avenue
 - (h) A-42 A By-law to Incorporate City Land Designated as Parts 1 and 6 on Plan 62R-14013 into Pritchard Road
 - (i) A-43 A By-law to Incorporate City Land Designated as Parts 13 on Plan 62R-11742 into Limeridge Road

- (j) A-44 A By-law to Incorporate City Land Designated as Part 1 on Plan 62R-13866 into Lorenzo Drive
- (k) A-45 A By-law to Incorporate City Land Designated as Part 1 on Plan 62R-13265 into Chesley Street
- (l) A-46 A By-law to Incorporate City Land Designated as Block B on Plan M-47 into Rouge Hill Court
- (m) A-47 A By-law to Incorporate City Land Designated as Block 14 on Plan 62M-801 into Bolzano Court
- (n) A-48 A By-law to Authorize the Sale of City Lands Described as Parts 1 to 3 inclusive on Plan 62R-10952 being land reserved for street as closed by Judge's Order VM142967 on Registered Plan 851 now known as 45 Owen Place and Parts 2 and 3 on Plan 62R-11410 being Part of Leaway Avenue as closed by Judge's Order VM160037 now known as 817 and 821 Stone Church Road East

Respectfully Submitted,

Tina Agnello, Acting Secretary
1997 June 16

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

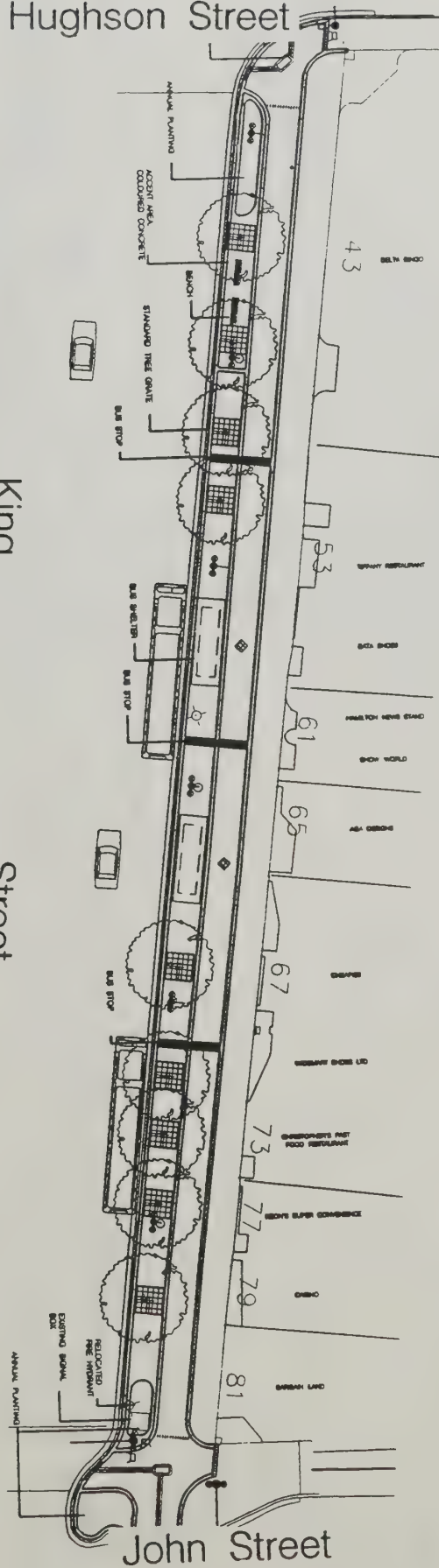
<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual Fee</u>	<u>File Number</u>
Cannon Street E.	1201-1215 Cannon St. E.	Home Saving & Loan Corp.	Portion of the building measuring 0.49m x 15.24m	\$184/20	T103 50 1307
Stinson Cres.	257 Stinson Crescent	N.Kowalski & N. Morrison	Steps measuring 1.5m x 0.25m	\$184/20	T103 50 1299
Berrisfield Dr.	35 Berrisfield Drive	R. & K. Priest	Landscaping measuring 2.59m x 7.62m Interlocking Brick measuring 0.34m x 2.31m	\$158/20	T103 50 1195
Simcoe St. E.	125 Simcoe Street East	J. & V. Dimitropoulos	Front porch measuring	\$158/20	T103 50 1284
Arthur St. N.	29 Arthur Street North	Pratas/Rui DaCosta	Steps measuring 1.9m x 0.36m	\$158/20	T103 50 1161
Florence Ave.	27 Florence Avenue	A. Smith	Porch measuring 0.387m x 2.89m	\$158/20	T103 50 1262
Grenfell St.	224 Grenfell Street	F. & L. Theobald	Steps measuring 1.0m x 1.0m	\$158/20	T103 50 1265
Burton St.	148 Burton Street	H. & E. Tessier	Steps measuring 0.38m x 1.31m	\$158/20	T103 50 1101
Weir St. N.	48 Weir Street North	Amosow	Steps measuring 0.24m x 1.10m	\$158/20	T103 50 1266
Market St.	191 Market Street	S. Kohut	Steps measuring 0.91m x 1.36m	\$158/20	T103 50 1270
Hunt St.	28 Hunt Street	Estate of H. Poulter	Portion of Building measuring 0.6m x 10.0m Porch measuring 0.85m x 5.0m Steps measuring 0.85m x 1.0m	\$158/20	T103 50 1264
Montrose Ave.	233 Montrose Avenue	R. Avery & E. Dean	Porch measuring 1.28m x 2.28m Steps measuring 1.0m x 1.24m	\$158/20	T103 50 1263

Hughson Street

King

Street

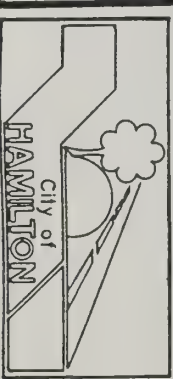
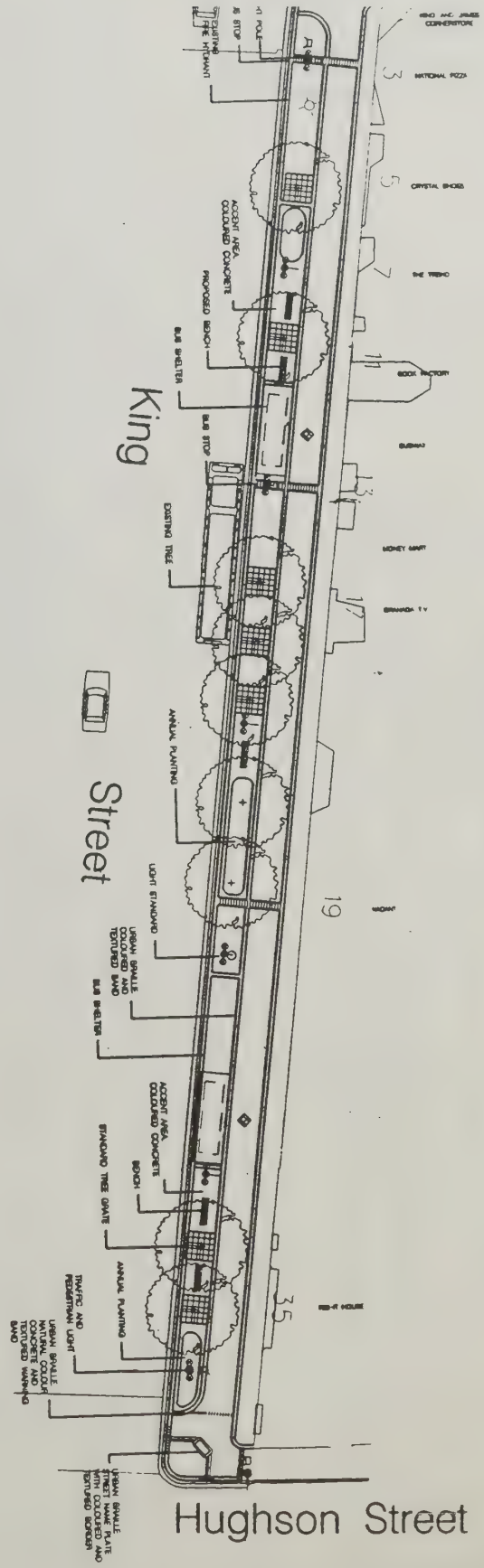
John Street



King

Street

Hughson Street

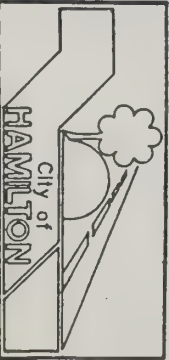
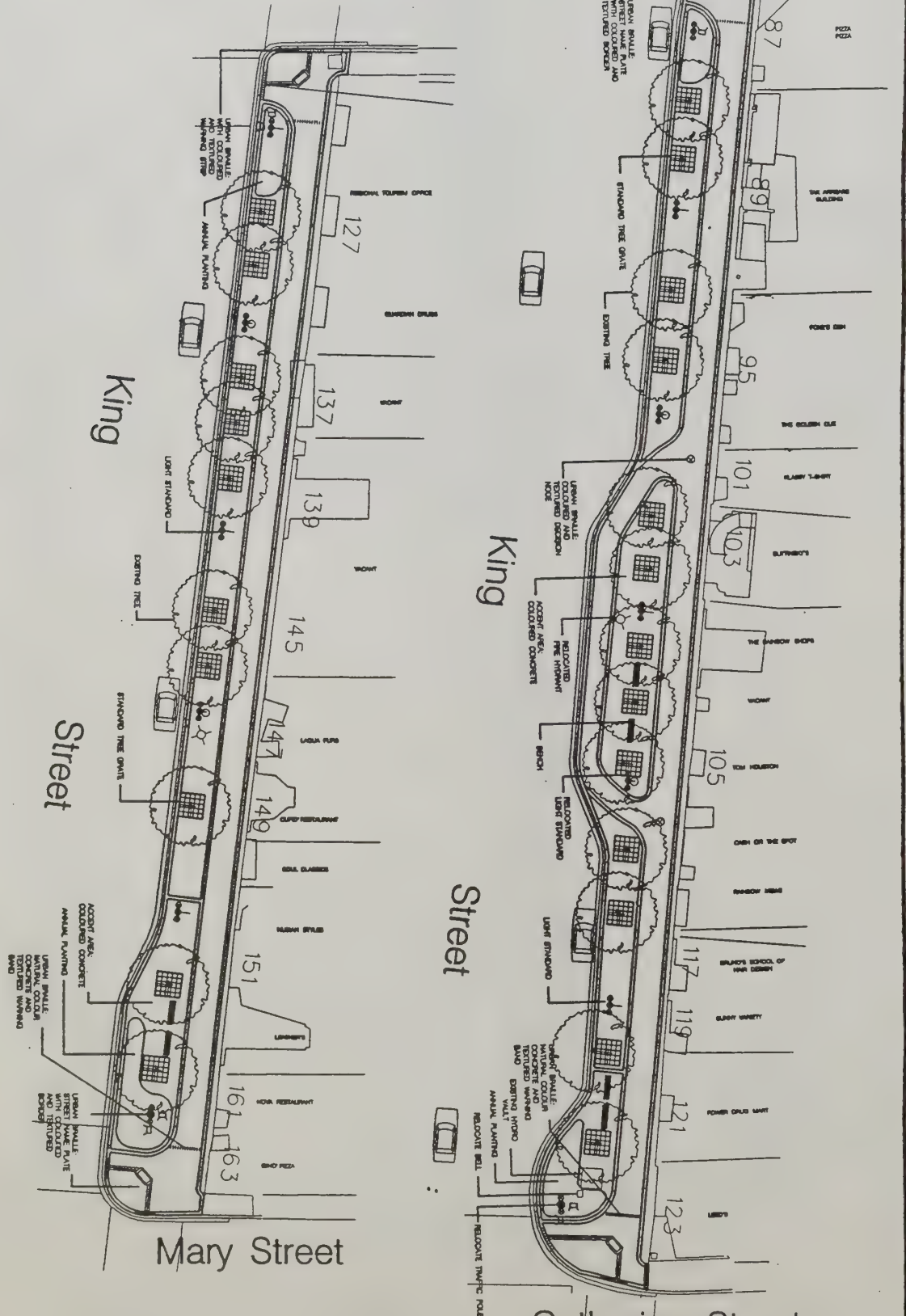


Project "Restore The Core"
Downtown Hamilton Improvement Plan (Phase 1)

Title
PROPOSED LAYOUT - NORTH SIDE OF KING ST.
JAMES TO JOHN

Date June 10, 1997
Scale 1:400
Dwg. No. 2/2

Catharine Street



Project "Restore The Core"

Downtown Hamilton Improvement Plan (Phase 1)

Title

PROPOSED LAYOUT - NORTH SIDE OF KING ST.

JOHN TO MARY

Date June 10, 1997

Scale 1:400

Dwg. No.

2/2

Catharine Street

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1997 and respectfully recommends:

1. That approval be given to the Director of the Department of Culture and Recreation to spend up to \$1,300 from Reserve Account No. CH5X999 00401 (Dundurn Castle) to provide conservation treatment to the Beasley log book.
2. That approval be given to the action taken by the Director of the Culture and Recreation Department to approve the selling of food and beverages by Tom Anderson at the Hamilton Museum of Steam and Technology on Golden Horseshoe Live Steamer Day (1997 May 25) and that further approval be given on 1997 June 15, July 1, August 17, September 7 and 21, and October 19 subject to the following terms and conditions:
 - (a) That the applicant assume responsibility for clean-up and any damages to the grounds; and,
 - (b) That the applicant agree to donate \$.25 per non-beverage sale to be shared by the Hamilton Museum of Steam and Technology and the Golden Horseshoe Live Steamers; and,
 - (c) That proof of \$3 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City Hamilton.
3. That permission be granted to the Director of the Department of Culture and Recreation to permit the Boris Brott Summer Concert Series to erect a canopy and hold outdoor chamber music concerts on the North lawn of Dundurn on 1997 July 20 and August 10.
4. That the Director of Culture and Recreation be authorized to waive green fees for the McMaster University 1997 Ontario Universities Athletic Association Golf Tournament being played on 1997 October 5 - 7 at King's Forest Golf Course.

5. That approval be given to the action taken by the Director of Culture and Recreation to waive green fees for the International Children's Games Golf Tournament played on 1997 May 28 at Chedoke Beddoe Golf Course.
6.
 - (a) That approval be granted to enter into a contract in a form acceptable to the City Solicitor between the City of Hamilton and Ruth Hrycko, for the provision of concession services at Globe Park, for the 1997 baseball season at a Lump sum payment of \$250 payable in advance; and,
 - (b) That the City Solicitor be authorized and directed to prepare the necessary documents.
7.
 - (a) That the Director of Culture and Recreation be authorized to re-install the restored Chedoke totem artifact at its original location at Chedoke Civic Golf Course; and,
 - (b) That the native heritage of Six Nations be acknowledged with the planting of a pine tree in proximity to the totem artifact.
8.
 - (a) That the City of Hamilton continue with the implementation of the Hamilton Beach Neighbourhood Plan by requesting the Hamilton Region Conservation Authority (HRCA) to transfer their properties in the beach area, plus the MTO properties to be acquired by the HRCA in accordance with the strategy outlined in Appendix "A", attached hereto, titled, "Implementation of Hamilton Beach Neighbourhood Plan"; and,
 - (b) That the strategy referred to as the "Selected Approach" and recommended by the Parks and Recreation Committee in its Twenty-First Report for 1995 and adopted by City Council on 1995 December 12 be rescinded; and,
 - (c) That the Commissioner of Public Works and Traffic be authorized to prepare a Project Brief for submission to the Provincial Government requesting approval of the "Implementation of Hamilton Beach Neighbourhood Plan", in consultation with the General Manager of the HRCA; and,
 - (d) That upon receiving Provincial Government approval of the property transaction strategy, the Department of Public Works and Traffic, in consultation with the City Law Department, be authorized to work with the Province on the Conservation Easement for lands being retained by the City for park and open space purposes; and,

- (e) That the Finance and Administration Committee be requested to determine the method of financing required to implement the recommended strategy.
- 9.
- (a) That the operation of the Chedoke Winter Sports Park be deemed a core service of the Department of Culture and Recreation based on a primary mandate to provide introduction to and instruction in skiing to Hamilton children and youth; and,
 - (b) That the Director of Culture and Recreation be authorized to operate a winter downhill ski program as per the business plan attached hereto as Appendix "B" for the 97/98 season and beyond; and,
 - (c) That the Director of Culture and Recreation be authorized to prepare a capital budget submission called for the modernization and upgrading of lift tows and snowmaking technology for consideration during the 1998 Capital Budget process; and,
 - (d) That the Director of Culture and Recreation be authorized to prepare a report outlining strategic options for the management and operation of the civic golf courses and the ski hill for consideration of the Parks and Recreation Committee at its 1998 January meeting; and,
 - (e) That an Advisory Council of Chedoke Hill Ski User Groups be established to work with staff to explore the possibilities of private sector and other partnerships to assist in the capital and operation costs of the ski hill.

Recorded vote on Section 9(a).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson, Merling. -3.

CARRIED.

Recorded vote on Section 9(b).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

Recorded vote on Section 9(c).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Copps, Wilson, Merling, Anderson. -4. **CARRIED.**

Recorded vote on Section 9(d).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

Recorded vote on Section 9(e).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

10. That approval be granted to the Hamilton Hornet Rugby Football Club to sell alcoholic beverages on the following dates, by Special Occasion Permits only, and in accordance with the terms and conditions of the Licence Agreement at Mohawk Sports Park:

June 28,29

July 1,3,5,6,8

AMENDED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson, Merling. -3. **CARRIED.**

11. (a) That approval, in principle, be given to the addition of a capital project to reconstruct the outdoor basketball pad at Carter Park to the 1997 - 2006 Capital Plan as a 1997 project with zero net cost based on gross project cost of \$35,000 and outside funding in an offsetting amount to be provided by Nike Canada Ltd. and the Altamira Foundation; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to complete design drawings, costing and site feasibility; and,
- (c) That the Director of Culture and Recreation and Commissioner of Public Works and Traffic be authorized to negotiate with officials from Nike Canada Limited and the Altamira Foundation for the provision of 100% funding for the reconstruction of the Carter Park Outdoor Basketball Pad; and,
- (d) That staff report back on the results of this negotiation at the 1997 July meeting of the Parks and Recreation Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Copps. -1.

CARRIED.

12. (a) That the following first and second mural images of the Downtown Hamilton Murals Programme be approved for implementation:
 - (i) "Cootes Paradise" by E. Robert Ross, at 1 James Street South
 - (ii) "Hamilton Farmers' Market" by Henry Smith, at the Hamilton Parking Authority Building, 30 York Boulevard
- (b) That staff proceed to call for tender bids from companies experienced in large-scale, outdoor mural production; and,
- (c) That the City Solicitor be authorized to prepare the necessary agreements with the artist and private property owner; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the above-noted agreements.

13. That regarding land ownership and the provision of a heating source to the Woodward Avenue Historic Hamilton Waterworks site, the following be approved:
 - (a) That the terms attached hereto as Appendix "C" be approved and forwarded to Regional Council for its approval; and,
 - (b) That the Mayor and City Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to the Director of Culture and Recreation and to the City Solicitor; and,
 - (c) That for an interim heat source, the Director of Culture and Recreation be authorized to expend unbudgeted funds in an amount of \$32,100 from Major Maintenance to Civic Buildings Account No. CF319741033 as the City's share of the purchase and installation of a steam boiler; and,
 - (d) That for a permanent heat source, the Director of Culture and Recreation be authorized to prepare a capital project submission for consideration during the 1998 - 2007 Capital Budget process concerning installation of a heat distribution system within the buildings, as contemplated by the Schedule of terms attached hereto as Appendix "C".
14. That the Director of the Culture and Recreation and the City Solicitor be authorized to negotiate an agreement with the Hamilton-Wentworth Regional Police to establish a Community Police Office in the Norman Lewis Recreation Centre.
15. That the Contracts between the City of Hamilton and the Gourley Park Community Association, which were attached to Section 17 of the Third Report for 1997 of the Parks and Recreation Committee and approved by City Council on 1997 March 25, be replaced with the Contracts attached herewith as Appendices "D" and "E".
16. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
 - (a) B-2 A By-law to amend By-law No. 92-213 respecting the restoration of the Steam Museum Pumphouse
17. (a) That Council's approval to a twenty year lease to the Macassa Bay Yacht Club at its meeting held on June 25, 1996 (Section 11 of the Ninth Report of the Parks and Recreation Committee for 1996) be amended to include the following terms:

- (i) the lease shall include the following property:
- 1.67 acres of the City's harbourfront land at the foot of Simcoe Street West; (Parts 1 and 6, 62R-14095)
 - 3.5 acres of land covered by water; (Part 10, 62R-14095)
 - a right of way from Bayfront Drive to the leased property; (Parts 7, 8, 9, 11, 12 and 13, 62R-14095); and,
- (ii) the lease shall permit the Club, our Tenant, to mortgage its Lease from the City - to a lender as security for the lender's loan to the Tenant to finance improvements to the leased premises. This right shall be conditional upon: the loan amount and terms being reasonable in the opinion of the City as Landlord; and on the prospective Mortgagee entering into a Mortgage Approval Agreement with the City as Landlord to covenant that if the Mortgagee (or its assignee) enters the leased premises, it shall comply with the Lease; and,
- (b) That in accordance with the said Lease provisions on the Club's mortgage of its lease to a lender, that the City as Landlord, approve the Tenant's granting a mortgage of the Lease to the Royal Bank of Canada as security for the Bank's loan to the Club to finance a new clubhouse; and,
- Such loan shall not exceed \$250,000 and shall be amortized and repayable within the lease term. During construction, interest on such loan shall be at the Royal Bank's prime commercial lending rate plus one and a quarter percent and during the balance of the loan term, interest shall be either the Bank's commercial lending rate applicable to a loan period selected by the Tenant or at a variable floating rate, the Bank's prime commercial lending rate plus one percent; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the said Mortgage Approval Agreement with the Tenant and the Royal Bank of Canada in a form satisfactory to the City Solicitor." **ADDED**

Respectfully Submitted,

Susan K. Reeder
Acting Secretary
1997 June 17

ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Implementation of Hamilton Beach Neighbourhood Plan

1. That the Hamilton Region Conservation Authority (HRCA) be requested to finalize its property transfer arrangement with the Ministry of Transport Ontario (MTO), thus increasing the HRCA's overall holdings on Hamilton Beach from ± 25.5 to 40.8 acres, with financing of the property acquisition from the existing HRCA - "Hamilton Beach Acquisition Reserve" which has a balance of $\pm \$136,000$. and contains no Provincial funding; and,
2. That the HRCA transfer its entire land holdings on Hamilton Beach, including the MTO properties referred to in Paragraph 1., to the City of Hamilton for the market value sum of \$2,250,000. minus the value of lands referred to in Paragraph 3 estimated at \$306,500; and,
3. That the Provincial Government forfeit its financial interest in the properties to be retained by the City for park and open space purposes (approximately 5 acres) subject to registration on title of a Conservation Easement satisfactory to the Province ensuring continued use of affected properties for park and open space purposes and that this amount be accounted for in the purchase payment made by the City of Hamilton to the HRCA; and,
4. That the HRCA be ensured first right of refusal for properties referred to in Paragraph 3 in the event that said properties be considered for disposal by the City; and,
5. That the HRCA reimburse the City of Hamilton and return to the Province of Ontario a percentage of the purchase payment of the Hamilton Beach properties, equal to the percentage contribution by the City of Hamilton $\pm 45\%$ and the Province of Ontario $\pm 55\%$ when the properties were acquired, exclusive of the MTO holdings and in the case of the Province, the returned funding to exclude the value of properties referred to in Paragraph 3; and,
6. That upon completion of the acquisition of the MTO properties referred to in Paragraph 1., the HRCA shall be entitled to the remnant value of the Hamilton Beach Acquisition Reserve (approximately \$85,000.), this representing a token payment to the HRCA for its administration of the project between 1976 and 1997; and,

- 2 -

7. That the Provincial Government direct its financial interests resulting from the purchase of Hamilton Beach properties by the City of Hamilton from the HRCA to establish a capital reserve to be administered by the Waterfront Regeneration Trust, said reserve to be subject to an annual administration fee in the range of .75% and be available to the City of Hamilton for construction of the Hamilton Beach Recreational Trail on a 50% City of Hamilton - 50% Waterfront Regeneration Trust funding basis; and,
8. That in recognition of the constraints impacting on the City's ability to immediately commence development of the waterfront trail based on the 50/50 cost sharing formula referred to in Paragraph 7, the Province agrees to maintaining its funding commitment for a period of not less than 5 years after which affected parties will undertake to review the project status annually against competing initiatives and funding priorities; and,
9. That the City of Hamilton's Chief Administrative Officer, in consultation with Municipal Departments, undertake preparation of a land disposal strategy for surplus lands geared to maintaining sound land use principles and maximizing financial return to the City; and,
10. That the Parks Division, Department of Public Works and Traffic for the City, undertake to design a recreational trail for the Hamilton Beach Waterfront, said design to be subject to input by the HRCA and Hamilton Beach Preservation Committee, and endorsement by the Waterfront Regeneration Trust prior to submission to the City's Parks and Recreation Committee for consideration and recommendation to Council; and,
11. That the City's share for funding the design and construction of the trail originate from the proceeds resulting from the sale of properties referred to in Paragraph 9 and/or other local sources.

Chedoke Winter Sports Park 1998 Business Plan

BACKGROUND:

Council at its meeting of 1996 August 13 approved the operation of the Ski Hill Facility for a one year period with direction to provide an annual report to the Parks and Recreation Committee relative to the success of the operation and strategic direction related to the future of the ski hill facility.

The revised Business Plan for 1998 has been developed following a detailed review of the 1997 operation.

The duration of this plan would be one year with the termination coinciding with the termination of the golf course-related contracts.

A break even operation remains a near impossibility.

The conclusion of the 1998 operating season coincides with the termination of all private contracts with our golf partners and could provide an opportunity for Committee and Council to consider alternative management models for the combined Chedoke golf and ski operation.

The success of the program is weather dependent. As a result the service does contain significant risk.

Closure of ski hill operation has also been reviewed and is presents as an alternative course of action.

CURRENT OPERATIONAL APPROACH:

The current method of operation includes a fully controlled operation by the City. City staff were responsible for the lessons, rentals and tow tickets. In return, we received all revenues generated. In 1997, the net cost of the ski hill was approximately \$280,029. Schedule A contains a budget analysis.

DISCUSSION:

A. THE PROPOSED VISION FOR THE CHEDOKE WINTER SPORTS PARK

Chedoke Winter Sports Park provides an opportunity within the heart of the City for the local community to enjoy the outdoors during the winter months. Activities include: downhill skiing for beginner and experienced skiers, cross country skiing, tobogganning, skating hiking and a cozy warm clubhouse. Aggressive program development, marketing and careful management of the operation has increased participation.

The adoption of an aggressive business plan in 1997 has enabled the ski hill to be operated with minimum subsidy from City taxpayers. City staff are ensuring first class conditions and outstanding customer service.

This Vision statement summarizes the recommendations of staff that will allow the management and operation of the ski hill to remain with City staff, but operating with a reduced net cost to the City. The following sections of the report documents staff's operation review.

B. OPERATIONAL IMPROVEMENTS

Traditionally, it has been the role of the ski hill to provide easy accessibility, reduced cost and introduction to this winter sport. Instruction and learn to ski programs for children are seen as our primary objectives.

A number of operational refinements were identified to further reduce the net operating deficit for fiscal 1998.

1. MANAGEMENT STRUCTURE

Staff have reviewed the current arrangements and are not proposing any changes to a City fully controlled operation.

We have determined that there are several opportunities on the program side of the operation; increasing user fees, offering additional lesson programs over and above last year's program offerings and a sell out of the lesson program have the capability to increase skier visits and generate increased revenue.

On the operations side staff are proposing to close the Senior Hill. This will result in a labour savings and avoid necessary capital costs for replacement of the chairlift cable. The Senior Hill is not utilized for instruction, only by the more experienced recreational skier.

2. REDUCED SKI SEASON AND HOURS OF OPERATION

With weather as unpredictable as we have experienced and snowmaking equipment that requires significantly cold temperatures. Our review revealed a similar pattern has emerged relative to opening. Keeping with tradition, January 3 would be the projected opening, the service level would be reduced to 42 planned days over 8.2 weeks from 56 days over 10.5 weeks.

The Hours of Operation would be reduced to 38 hours from 50 hours. This is focused around the workforce and our Learn to Ski programs. The Learn to Ski programs provide the greatest revenue opportunities. The recreational ski hours have been reduced.

The Christmas season should remain a viable option if weather and conditions permit. Revenue for this period would be in addition to forecast estimates.

3. ORGANIZATION OF MANPOWER

The proposed plan will result in a decrease in the number of staff required. The complement of lift attendants would decrease from 12 to 8 and the realignment of the number of weeks and hours will substantially reduce the overtime. The part time complement will remain relatively the same. Labour savings from the reduced service level total \$66,140. (\$23,950 from closure of the senior hill remainder staff overtime costs.)

4. OTHER RELATED OPERATING EXPENSES

The operating expenses are variable costs and under a total City responsibility, the 1998 operating budget has been adjusted upwards to include office supplies, advertising and promotion and postage along with inflationary increases to \$202,500 up from \$180,310.

5. RATES AND FEES

A survey of ski hill users indicated that an increase in user fees for lessons, tow tickets, season passes and rentals would be viable.

Our primary usage is in the area of "Learning to Ski". We have determined that there are several opportunities to offer additional lesson programs over and above last year's program offerings. An expanded program and a sell out of the overall lesson program (1,300 registrants up from 1,005 in 1997) would result in increased revenues of \$14,000.

Tow Tickets - Staff are recommending keeping with the timed tow ticket system. It is presumed that skier visits will remain relatively the same but some fluctuation will occur in the options purchased. New fees are compatible with neighbouring areas.

Season Passes - The Chedoke Racing Club will continue to purchase season passes and they remain a good buy for the regular skier. Fees remain in line with daily tow ticket users based on 10 visits or more.

Rentals - Under the one year plan the equipment rental operation will remain the same. No inventory increase is proposed only a realignment of the ski size quantities.

Based on last year's performance increased revenues totalling \$22,769 is expected. Skier visits are expected to increase to 25,500.

GROUP/SCHOOL LESSONS - This area of the program was featured last season. The Ski Hill provides an ideal opportunity to introduce skiing to children.

6. COMPREHENSIVE MARKETING PROGRAM

With an established client base and an advertising and promotion allocation in

the budget. Development of an aggressive ad campaign locally and as part of the Region's tourism strategy will enable a better profile the facility to encourage increased skier visits.

7. CAPITAL INVESTMENTS

Capital investment in equipment replacement is a priority to increasing the utility and efficiency of the Ski Hills. \$2.9 million in capital work for new snowmaking technology and a new lift system will be required over the long term.

No capital expenditures are recommended until a long term commitment is made to the continued operation of the skiing program.

8. FINANCIAL PICTURE

The proposed plan will reduce the net operating deficit fiscal 1998 to \$219,310 down from the \$280,029 for 1997. A revised rate of subsidy would be 45.7% compared to the current rate of 55.5%.

Schedule A presents a revised budget with all costs reported, thereby providing a reasonable comparison with other City Recreation operations.

The proposed plan will produce savings to the City of \$60,719 for 1998.

C. PRIVATIZATION OF THE SKI HILL FACILITY

Staff are still of the view that privatization of the Ski Hill is not viable at this time. The recommendations indicated the proposed plan's completion will coincide with the end of the current golf contracts. At this time, Council will be able to consider outsourcing the management of both golf and ski facilities.

D. CLOSURE OF THE SKI HILL OPERATION

In the event that the City is not willing to go forth with the above plan, the operation should be closed. Closure will result in savings for 1997 of \$77,914 and in 1998 \$430,310 if hourly rated unionized staff assigned to this service are laid off for the duration of the assignment and the operating budget is reduced to \$50,000.

The chart restates the budget for 1997, the proposed budget for 1998 inclusive of costs and new revenues generated through increased user fees and increased program opportunities. It also provides an analysis of a cross section of City Recreation facilities for comparison purposes.

SKI HILL			RECREATION FACILITIES				ARENA FACILITIES			MUSEUMS
	Current Operational Approach	Proposed Operational Approach	Dalewood Rec. Centre	Huntington Park Rec. Centre	Hill Park Recreation Centre	Lawfield Arena	Parkdale Arena	Dundurn Castle		
Season	10.5 weeks	8.2 weeks	Yr. Round	Yr. Round	Yr. Round	Yr. Round	Yr. Round	Yr. Round		
Operational Days	5 days/wk. (39 days)	5 days/wk. (42 days)	7days/wk.	7 days/wk.	7 days/wk.	7days/wk.	7 days/wk.	6 days/wk. open hol. Mondays		
Financial Picture										
Salary/Wage&Ben Full&Part Time	\$323,950	\$277,810	\$401,850	\$449,320	\$400,350	\$295,020	\$245,790	\$604,900		
Operating Expenses	\$180,310	\$202,500	\$120,170	\$219,230	\$169,030	\$211,171	\$106,882	\$244,107		
Total Gross Cost	\$504,260	\$480,310	\$522,020	\$668,550	\$569,380	\$506,191	\$352,672	\$849,007		
Revenue										
Total Revenue	\$224,231	\$261,000	\$137,150	\$293,750	\$162,580	\$186,880	\$107,060	\$204,700		
Net Cost	(\$280,029)	(\$219,310)	(\$384,870)	(\$374,800)	(\$406,800)	(\$319,311)	(\$245,612)	(\$644,307)		
Rate of Subsidy	55.5%	45.7%	73.7%	56.1%	71.4%	63.1%	69.6%	75.9%		
Total # Participants	23,302	25,000	78,000	227,771	100,445	176,000	118,215	51,000		
GrossCost/participant	\$21.64	\$19.21	\$6.69	\$2.94	\$5.67	\$2.87	\$2.98	\$16.65		
Avg. Participant(Rev)	\$9.62	\$10.44	\$1.76	\$1.29	\$1.62	\$1.06	\$0.91	\$4.02		
Unit Cost/participant being subsidized	\$12.02	\$8.77	\$4.93	\$1.65	\$4.05	\$1.81	\$2.07	\$12.63		

WOODWARD AVENUE HISTORIC HAMILTON WATERWORKS

OUTLINE OF TERMS BETWEEN

THE REGION OF HAMILTON-WENTWORTH ("Region")

AND

THE CITY OF HAMILTON ("The City")

These terms are the basis of the resolution of two issues between the Region and the City, namely, land ownership of and the provision of a heating source to, the Woodward Avenue Historic Museum of Steam and Technology.

1. LAND & EASEMENT TRANSFERS:

- (a) The Region shall convey (for \$2.00) to the City the land associated with the operation of the Woodward Avenue Museum of Steam and Technology, inclusive of the land on which the buildings stand, the associated parking lot and contiguous grounds currently used in the operation of the Museum. (Parts 2,3,4& 6, 62R-13828). This land is known municipally as a portion of 800/900 Woodward Avenue. The property would be conveyed to the City subject to the condition that should the City cease to operate the property as a museum, ownership of the property would revert to the Region.
- (b) the City shall convey (for \$2.00) an underground easement in the said land to the Region to enable the Region to operate, maintain, repair, replace and add its infrastructure beneath this property. The Region shall be responsible for restoration of the surface disrupted by its work, however, costs to remove and replace program equipment and chattels of the City and the volunteer groups shall be the responsibility of the City. The Region shall provide due and proper notice of planned activity pursuant to the easement (such as repairs, maintenance etc) and shall use its best efforts to undertake planned work at a time that will not interfere with key programming times at the museum. The Region will be entitled to immediate access to deal with emergencies.
- (c) the City shall convey (for \$2.00) to the Region an above ground easement for vehicular access between Woodward Avenue and the Region's Waste Water Treatment site, such right of way to be upon the said Part 2, 62R-13828;

2. HEATING SOURCE:

Pending the provision of a permanent heat source discussed below, the City needs to ensure that an interim heating source is in place for the next heating season. The Region shall permit City (for \$2.00) to install, operate and maintain a temporary boiler in the Region's adjacent "High Lift Building".

For purposes of a permanent replacement to the steam heat formerly supplied by the Region at no cost to the City for the steam museum, the Region confirms to the City that there is sufficient capacity to also supply hot water at no cost. The hot water is available as an incremental addition to the Region's proposed hot water heating system between SWARU and its water treatment facility. The variable cost of providing this service to the City is negligible relative to the cost of the entire system.

The Region shall be responsible for all capital costs to introduce a hot water system to the whole site.

The City will bear costs to an upset limit of \$100,000 to bring the heat to the Museum buildings with the Region responsible for all costs beyond that upset limit.

The City will be responsible for all costs for pipe replacement within the buildings in order to accept and utilize the new energy source.

A "joint undertaking" agreement pursuant to the Municipal Act (section 120) incorporating the said provisions regarding heating shall be entered into by the Region and the City and be binding upon their successors and assigns of their respective adjacent properties.

1997 June 24

THIS AGREEMENT made in quadruplicate this 25th day of June, 1997.

B E T W E E N:

THE CORPORATION OF THE CITY C

(Hereinafter called the "City")

Appendix "D" referred to in
Section 15 of the Sixth Report
for 1997 of the Parks and
Recreation Committee

OF THE FIRST PART.

- and -

GOURLEY PARK COMMUNITY ASSOCIATION

(Hereinafter called the "Association")

OF THE SECOND PART.

WHEREAS the City is the owner of Gourley Park (hereinafter called the "Park"), municipally known as 000 Duncairn Crescent, located in the City of Hamilton;

AND WHEREAS the Association has entered into a Licence Agreement with the City;

AND WHEREAS the City had planned to construct a sun shelter building at the Park;

AND WHEREAS the Association has approached the City to enlarge the proposed building with the Association paying for the increased construction costs;

AND WHEREAS on March 25, 1997, City Council, in adopting Section 17 of the 3rd Report of the Parks and Recreation Committee, authorized an Agreement with the Association;

AND WHEREAS Council, on June (specify), in adopting Section (specify) of the (specify) Report of the Parks and Recreation Committee authorized a revised Contract with the Association.

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

1. Subject to the terms of this Agreement, the City agrees to construct a building in Gourley Park containing a meeting room and washrooms, as shown on the plan attached to this Agreement as Schedule "A".
2. The Association agrees to pay the total cost of constructing the meeting room and washrooms (hereinafter called the "Premises") to be constructed in the Park, as shown on Schedule "A" attached to this Agreement. The Association's contribution to the building cost is \$53,035.00.
3. The Association acknowledges that the City will only be constructing the bare walls of the Premises and that the Association will be responsible for completing the Premises, including the wiring, plumbing fixtures and wall coverings.
4. The Association Agrees to pay to the City \$15,000.00 at the date of signing of this Agreement. Thereafter, the Association shall pay to the City \$5,000.00 per year, commencing on December 15, 1997, and on each and every December 15th until the total cost of the Association's part of the building is fully paid for.
5. If the City terminates the Licence Agreement pursuant to paragraph 15 of the Licence Agreement, the City will refund part of the Association's contribution to the construction costs of the premises, based on the following formula,

The amount actually paid by the Association, times
40 - N times 2.5 percent

1997 June 24

where "N" represents the number of years, or part years, the Association has occupied the premises.

There shall be no refund of the amount paid by the Association after the year 2036.

6. If the Association makes all the payments as described in paragraph 4, the City will not charge interest on the Association's outstanding debt to the City.
7. When the tenders are received, the City shall inform the Association of the cost of the Association's portion of the total building construction cost.
8. The Association acknowledges that the use and occupation of the Premises is subject to a Licence Agreement to be executed by both parties.
9. If the Association fails to repay to the City the outstanding construction costs of the Premises in accordance with this Agreement, the City may, without limiting its other remedies, terminate the occupation Licence.
10. The Association acknowledges that it had the opportunity to obtain legal advice prior to signing this Agreement.

IN WITNESS WHEREOF the said parties have hereunto affixed their authorized signatures and seals.

Signed, Sealed and Delivered
in the Presence of:

**THE CORPORATION OF THE
CITY OF HAMILTON**
per:

Mayor

Date: _____

Approved as to
form and content

City Solicitor

Date

City Clerk

Date: _____

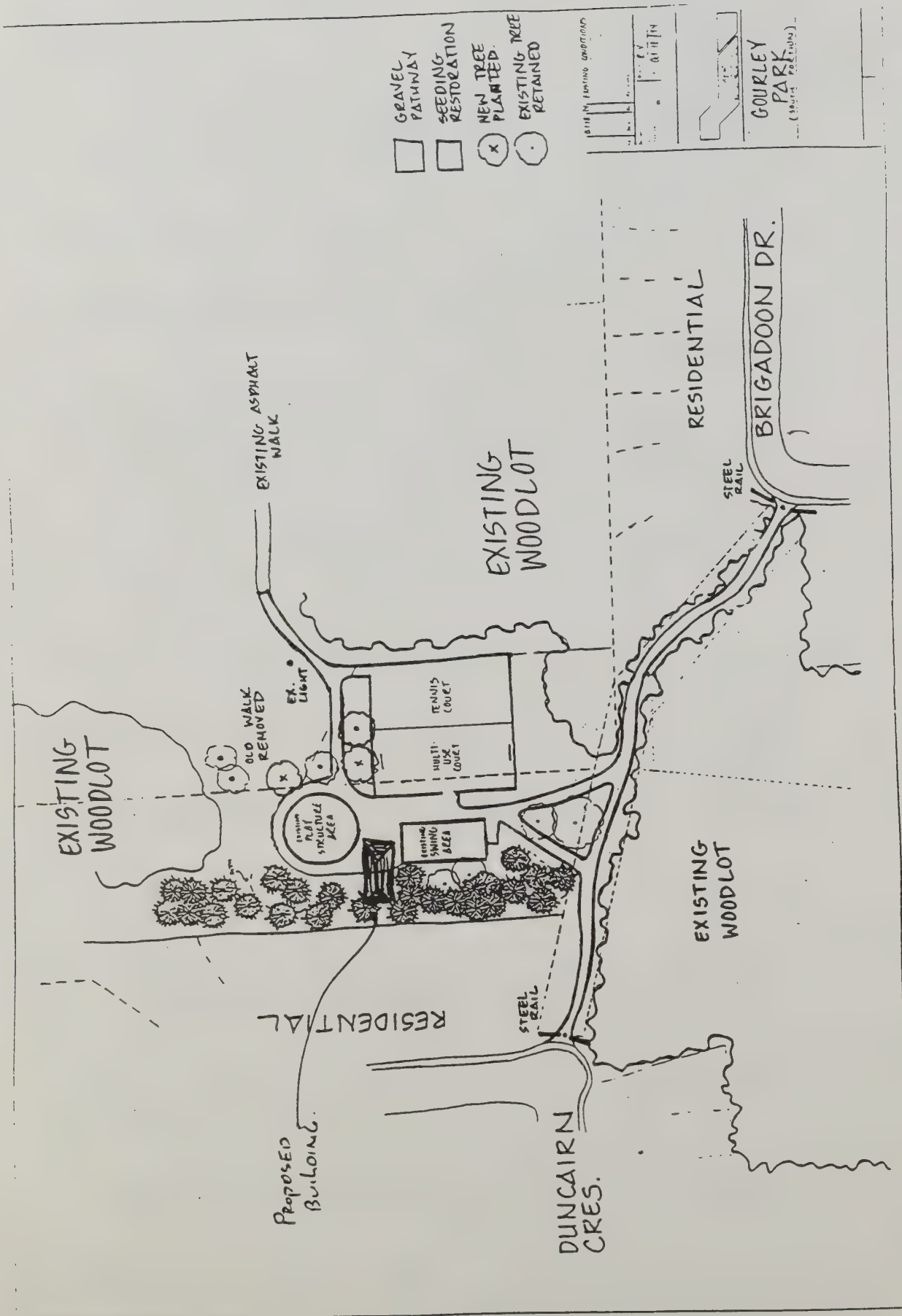
**GOURLEY PARK COMMUNITY
ASSOCIATION**
per:

(seal)

Date: _____

(seal)

Date 5/76



SCHEDULE "A"

DATED THIS 26TH DAY OF MARCH, 1997

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON

AND

GOURLEY PARK COMMUNITY ASSOCIATION

AGREEMENT

Re: Construction of Meeting Room and Washrooms in
Gourley Park

City Solicitor
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-20-369/97.1
LEF:as

THIS AGREEMENT made in quadruplicate this 25th day of Ji

Appendix "E" referred to in
Section 15 of the Sixth
Report for 1997 of the Parks and
Recreation

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(Hereinafter called the "City")

OF THE FIRST PART.

- and -

GOURLEY PARK COMMUNITY ASSOCIATION

A Non-Profit Corporation incorporated
under the Corporations Act

(Hereinafter called the "Association")

OF THE SECOND PART.

WHEREAS the City is the owner of Gourley Park, municipally known as 000 Duncairn Crescent, located in the City of Hamilton;

AND WHEREAS the Association and the City have agreed to use part of the Gourley Park land for the purpose of constructing a City owned building containing a meeting room and washroom (hereinafter called the "Premises"), as shown on the diagram attached as Schedule "A";

AND WHEREAS on March 25, 1997, City Council, in adopting Section 17 of the 3rd Report of the Parks and Recreation Committee, authorized an Agreement with the Association;

AND WHEREAS Council, on June (specify), in adopting Section (specify) of the (specify) Report of the Parks and Recreation Committee authorized this Agreement:

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

1. **GRANT OF LICENCE**

Subject to the terms and conditions of this Agreement, the City hereby grants the Association a licence to occupy the Premises located in Gourley Park as shown on the diagram attached to and forming part of this Agreement as Schedule "A", for the sum of Two Dollars (\$2.00) per year.

2. This Agreement shall commence on June 1, 1997 and shall terminate on May 31, 2002 unless terminated early pursuant to this Licence Agreement. The Agreement may be renewed with City Council's consent.

3. The Association may use the Premises only in accordance with the constitution of the Gourley Park Community Association, attached as Schedule "B" to this Contract, subject to annual review and approval of use plans by the Commissioner of Public Works and Traffic. The Association agrees to give the City a copy of any amendment to the Association's constitution.

4. The building will be constructed by the City to the bare walls only. The Association shall pay the cost of finishing the Premises, including, but not limited to, dry walls, plumbing fixtures and electrical wiring.
5. The Association shall discharge all liabilities incurred by it for labour, materials or services used or reasonably required for use in the performance of this Contract on the date upon which each becomes due.

The Association shall cause each Sub-contractor engaged in the performance of this Contract to discharge all liabilities incurred by such Sub-contractor for labour, materials or services used or required for use in the performance of this Contract.

The Association shall ensure that all of the persons constructing the Premises comply with the Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1.

6. The Association shall be solely responsible for the interior maintenance of the Premises. The Premises shall be maintained in a neat and clean condition to the satisfaction of the City.
7. The City shall have the right to inspect the Premises at all times and the Association shall give the City one set of keys to the Premises.
8. The Association may not apply for any permanent Liquor Licence for the Premises under the Liquor Licence Act of Ontario, but may apply for a Special Occasion Permit with the consent of the City, which consent shall not be unreasonably withheld.

When the Association applies to the City for the Special Occasion Permit consent, the Association agrees to provide the City with an insurance Certificate indicating that the Association has purchased FIVE MILLION DOLLARS (\$5,000,000.00) of Liquor Liability Insurance and that the City is an additional insured on the policy.

9. The Association shall pay one half of the total cost of the Hydro Service to the combined building. The Association shall be invoiced by the City for the Hydro cost and shall pay the invoice within 15 days of the invoice being issued.
10. The Association shall pay one half of the heating costs for the entire building. The Association shall be invoiced by the City for this cost and shall pay the invoice within 15 days of the invoice being issued.
11. The Association agrees to pay any property and education taxes or charges levied against the City as a result of the Association's occupation of the Premises.
12. The Association may rent the Premises to other groups, but may not charge the other group more than the Association's true cost arising out of the other group's use of the Premises.

The City reserves the right to mediate any disputes relative to use of the Premises.

13. PUBLIC LIABILITY - INDEMNIFICATION AND INSURANCE

- (a) The Association shall use and occupy the Premises in a careful, safe, lawful and proper manner and shall so conduct its activities in or about the Park and Premises as not to endanger any property or any person thereon; and, with the sole exception of claims arising entirely by reason of an Act of God, shall indemnify and save harmless the City against any and all claims and costs of the City of Hamilton, or of other persons, arising in any way out of the performance of this Licence Agreement or out of the Association's occupation of the Premises.

- (b) The Association hereby releases the City from any and all liability to any persons (including the Association and third parties) for any loss, damage or injury to any person or property incurred in or upon any property occupied by the Association.
- (c) The Association agrees to obtain and maintain a comprehensive general liability policy:
 - (i) naming the City as an additional named insured party;
 - (ii) including the following extensions of coverage:
 - Broad Form Property Damage
 - Occurrence Property Damage
 - Personal Injury
 - Blanket Contractual
 - Completed Operations
 - Owner's Protective
 - Employees added as additional Named Insured
 - Cross Liability
 - Non-owned Automobile, including S.E.F. 96
 - Employer's Liability & Contingent Employer's Liability
 - (iii) providing not less than TWO MILLION DOLLARS (\$2,000,000.00) inclusive limits of liability;
 - (iv) providing that the Policy shall not be cancelled without sixty (60) days written notice to the City.
- (d) The Association shall furnish to the City a certified copy of such policy of insurance throughout the continuation of this Licence Agreement.

14. **DEFAULT**

The Association shall be in default under this Agreement if:

- (a) the Association does not pay to the City any payment required hereunder when due, or
- (b) the Association fails to maintain the insurance coverage required under clause 13 herein, or the Liquor Licence Insurance required by clause 8.
- (c) the Association fails or neglects to comply with or perform any material covenant or term of this Agreement and such failure or neglect continues for a period of 60 days after receipt by the club of written notice from the City setting out the particulars of such non-compliance.
If the Association has failed to remedy such non-compliance on the expiry of sixty days after receipt of such written notice the City may, at its option, perform or cause to be performed any such covenants or obligations and all expenses incurred by the City in so doing shall be immediately payable as part of the annual licence fee under clause 1 (one) herein, or
- (d) the Association shall make an assignment for the benefit of its creditors or have a receiving order made against it or become bankrupt or insolvent or if any action shall be taken to wind up, dissolve or liquidate the Association.

- (e) The Association shall change its Corporate status and be incorporated under the Business Corporations Act or a similar Act.

15. TERMINATION

- (a) This Agreement may be terminated by the City by written notice to the Association in the event of default by the Association as set out in clause 14 above.
- (b) This Agreement may also be terminated by either party on six month's notice to the other.

16. CONSEQUENCES OF TERMINATION

Upon termination or expiration of this Agreement:

- (a) the Association shall immediately cease all of its operations at the Premises and, within a period of ten (10) days after termination, remove from the Premises all of the Association's property and equipment and shall repair any damage caused by the Association to the Premises by such removal;
- (b) the Association shall, within ten (10) days following such termination, pay to the City all payments owing under this Agreement;
- (c) the City shall be free to enter into an Agreement similar to this Agreement with any other party.

17. EXTENSION OF LICENCE

If the term of this licence expires without further written agreement of the parties and the Association continues to use the Premises with the permission of the City, then this Licence Agreement shall be deemed to continue in full force and effect upon the same terms and conditions until the City or the Association gives the six (6) month written notice of termination specified by paragraph 15 to the other party.

18. LAW, RULES AND REGULATIONS

The Association covenants for itself, its servants, agents, and employees that it will observe, keep and perform all rules, regulations and by-laws of the City, its Police Department, its Fire Department and the Fire Marshall and with any other department of the City, Provincial or Federal Governments, or any other proper authority in that behalf including, but not limited so far as the same shall relate to conditions of sanitation, health, fire prevention, safety, crowd control or otherwise howsoever in relation to the Premises and the use and occupation thereof, and will in all respects conduct its operations therein strictly in accordance with the law. The association further covenants for itself, its servants, agents and employees to use its best efforts to ensure that its patrons will also observe, keep and perform all rules, regulations and by-laws as set out above.

- 19. No reference to, nor exercise of, any specific right or remedy by the City shall prejudice or preclude the City from exercising any other remedy, whether allowed at law or in equity or expressly provided for herein. No such remedy shall be exclusive or dependent upon any other such remedy, but the City may from time to time exercise any one or more of such remedies independently or in combination.
- 20. This Licence Agreement shall be governed by, and construed under, the laws of the Province of Ontario.

21. Time is of the essence of this Licence Agreement, and if any enlargement or extension of time shall be granted, time shall continue to be of the essence in respect of the enlargement or extension of time.
22. No provision of this Licence Agreement shall be deemed to have been waived by the City unless such waiver is in writing and signed by the City. A waiver of the City of a breach of any term or condition of this Licence Agreement shall not prevent a subsequent act, which would have originally constituted a breach, from being of the force and effect of any original breach. Receipt by the City of consideration under this Licence Agreement with knowledge of a breach by the Association of any term or condition of this Licence Agreement shall not be deemed a waiver of such breach. Failure by the City to enforce against the Association any of the Rules and Regulations under Paragraph 16 shall not be deemed a waiver of such Rules and Regulations.
23. No amendment, modification or supplement to this Licence Agreement shall be valid or binding unless set out in writing and executed by the parties hereto.
24. This Licence Agreement contains the entire agreement between the parties hereto with respect to the subject matter thereof. the Association acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty of the City except as set out in this Licence Agreement.
25. In construing this Licence Agreement, words in the singular shall include the plural, and visa versa and words importing the masculine shall include the feminine and the neuter and visa versa, and words importing persons shall include corporations and vice versa.
26. This Licence Agreement shall enure to the benefit of, and be binding upon, each of the parties hereto, and each of their respective successors and assigns.
27. This Agreement cannot be assigned by the Association without the written approval of the City Council.
28. **NOTICES**

Any notices required or permitted to be given hereunder shall be sufficiently given if delivered or mailed by prepaid registered mail as follows:

- (a) If to the City:

The City Clerk
The Corporation of the City of Hamilton
City Hall, 71 Main Street West
P. O. Box 2040
Hamilton, Ontario
L8N 3T4

- (b) If to the Association:

Gourley Park Community Association
407 Brigadoon Drive
Hamilton, Ontario
L9C 6C7
Attention: Karen Marcoux

Any notice so given shall be deemed to have been received on the date of personal delivery or on the fourth business day after the date of mailing, as the case may be.

1997 June 24

6

The Association shall give the City prompt Notice of any change in the Association's address for service.

IN WITNESS WHEREOF the said parties have hereunto affixed their authorized signatures and seals.

Signed, Sealed and Delivered
in the Presence of:

THE CORPORATION OF THE
CITY OF HAMILTON
per:

Mayor

Date: _____

Approved as to
form and content

City Solicitor

Date

City Clerk

Date: _____

GOURLEY PARK COMMUNITY
ASSOCIATION
per:

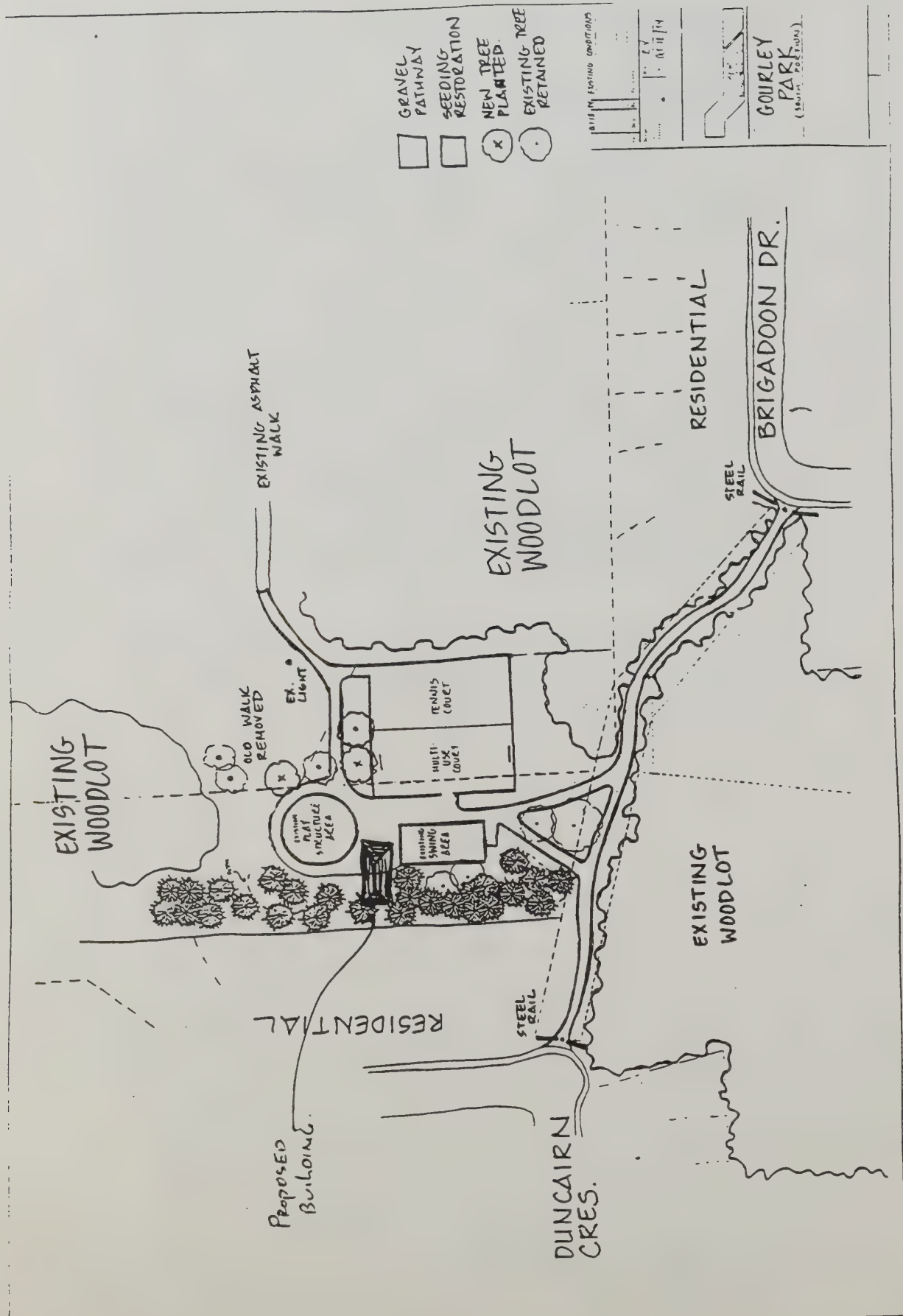
(seal)

Date: _____

(seal)

Date: _____

\\CONT\GOURLLIC.BOB



GOURLEY PARK COMMUNITY ASSOCIATION

C O N S T I T U T I O N

Article I

This organization shall be known as: GOURLEY PARK COMMUNITY ASSOCIATION. *

Article II

AIMS & OBJECTIVES

- (a) The aims and objectives of this organization shall be:
1. To promote recreational activities within the geographic area of the community with the objective of encouraging participation by the greatest number of residents of the area and in all age groupings.
 2. To promote community activities within the geographic area of the community with the objective of encouraging participation by the greatest number of residents of the area and in all age groupings.
 3. To co-operate with existing groups interested in recreation in the area so that a well co-ordinated program of activities will result.
- (b) The Association shall be non-denominational.
- (c) The Association shall be non-partisan, non-political.
- (d) BOUNDARIES - The geographic area of Gourley Park Community Association shall extend from Garth Street to West 5th Street and from Limeridge Road West to Stonechurch Road West.

Article III

MEMBERSHIP

- (a) Membership in the Gourley Park Community Association will be open to any resident in the geographic area of the community, and as provided for in Article X.

DATED THIS 26TH DAY OF MARCH, 1997

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

GOURLEY PARK COMMUNITY ASSOCIATION

A G R E E M E N T

Re: Licence to Occupy the Premises Located in Gourley
Park and Washroom

City Solicitor
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-369/97.1
LEF:as

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1997 and respectfully recommends:

1. That approval be given Zoning Application ZAC-97-16, 1104020 Ontario Inc.(D. and G. Ciarmella), owner, requesting a modification to the "C" (Urban Protected Residential, etc.) District to permit the development of one semi-detached two family dwelling unit, for property located at No. 661 Upper Wellington Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) The "C" (Urban Protected Residential, etc.) District, as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands be further modified to include the following variances as special requirements:
 - (i) That notwithstanding Subsections 9(1) and (3), one semi-detached two family dwelling with a minimum lot frontage of 17.11 m and minimum lot area of 534 m² shall be permitted; and,
 - (ii) Where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade; and,
 - (b) The amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1383, and that the subject lands on zoning District Map E-16 be notated S-1383; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend zoning by-law No. 6593 and Zoning District Map E-16 for presentation to City Council; and,
 - (d) That the proposed changes are in conformity with the Official Plan for the Hamilton Planning Area.

2. That approval be given to Zoning Application 97-15, Kimshaw Holdings Limited, applicant, for a change in zoning from "K" (Heavy Industry. etc.) District to "L-mr-1" (Planned Development - Multiple Residential) District, to permit future development for multiple-family residential development, for lands located on the north side of Barton Street West, east of Crooks Street, as shown on the attached map marked as Appendix "B", on the following basis:
 - (i) That the subject lands be rezoned from "K" (Heavy Industry, etc.) District to "L-mr-1" (Planned Development - Multiple Residential) District; and,
 - (ii) That the Director of Planning and Development be directed to prepare a by-law, in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council; and,
 - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
3.
 - (a) That the Downtown Hamilton Community Improvement Plan (distributed to members of Council under separate cover as Appendix "C") be adopted, in order to implement initiatives such as the Gore Heritage 2000 Program, the Hamilton Downtown Convert/Renovate-to-Rent Loan Program, as well as the refund of fees as contained in the Plan; and,
 - (b) That the Downtown Hamilton Community Improvement Plan be re-submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,
 - (c) That the City Solicitor be authorized to prepare the requisite By-law for (b) above; and,
 - (d) That the City Solicitor be authorized to prepare the appropriate By-law to repeal By-law #96-189 which was the By-law adopting the previously approved Downtown Hamilton Community Improvement plan.
4.
 - (a) That the Seventh Report of the Planning and Development Committee, as adopted by City Council on April 29, 1997, be amended to delete Subsections 1.A., 1.B., 2.A. and 2.B. in their entirety; and,
 - (b) That the red-line revised plan of subdivision "Wisemount Estates" (File No. 25T-83004(R)), for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, comprising of 67 lots for street townhouses, 1 lot for

a single family dwelling, 5 blocks to be merged with the adjacent single family dwelling lots, and 2 blocks for road widening purposes, be approved subject to the following conditions:

- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and J.D. Barnes Limited, dated June 17, 1997, showing 67 lots for street townhouses, 1 lot for a single family dwelling, 5 blocks to be merged with the adjacent single family dwelling lots and 2 blocks for road widening purposes, on the attached map marked as Appendix "D"; and,
- (ii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (vii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department;

- (3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch;
- (4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction.
- (viii) That the owner dedicate Block 74, being a 3.048 m road widening for Limeridge Road, to the City of Hamilton; and,
- (ix) That the owner dedicate Block 75, being a 5.18 m road widening for Upper Kenilworth Avenue, to the City of Hamilton; and,
- (x) That the Owner establish Street "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Senior Director, Roads Department; and,
- (xi) That the Owner provide the Region with documentation to the satisfaction of the Regional Environment Department and Utility Corporations (Hamilton Hydro, Union Gas, Bell Canada and Cable TV) that the standard roadway cross-section, utilities and municipal sidewalks etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width; and,
- (xii) That the Owner construct sidewalks on both sides of Street "A" and that a combined walk and curb is to be constructed to the satisfaction of the Regional Environment Department; and,
- (xiii) That 1 m by 1 m daylight triangles be included on the Final Plan of Subdivision at the intersection of Street "A" and Limeridge Road, as widened and Street A and Upper Kenilworth Avenue, as widened; and,
- (xiv) That a minimum 4 m by 4 m daylight triangle be included on the Final Plan of Subdivision at the 90 angle in Street "A" adjacent to Lot 57; and,
- (xv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,

- (xvi) That Street "A" be dedicated to the City of Hamilton as a public highway on the Final Plan of Subdivision; and,
 - (xvii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
 - (xviii) That the Owner merge in title Blocks 68, 69, 70, 71 and 72 with Lots 4, 5, 6, 7 and 8, Registered Plan 62M-794 (respectively), to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,
 - (xix) That as a condition of development of Lots 39 to 43, inclusive, the Owner provide for full resurfacing of Racalmuto Drive to the satisfaction of the Commissioner of the Regional Environment Department; and,
 - (xx) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,
 - (xxi) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton; and,
- (c) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-83003(R)), 822827 Ontario Inc., owner, proposed revised draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
- (d) That the Regional Commissioner of Environment be advised that the City of Hamilton requests that the Draft Approved plan of Subdivision "Wisemount Estates - Phase 8" (Regional File No. 25T-83004) be further revised to delete the 6.0 m wide block for a public walkway and that a 9.0m wide easement, in favour of the Region of Hamilton-Wentworth be identified on Lots 7 and 8.
- (e) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

- (f) That approval be given to amended Zoning Application ZAC-97-07, 822827 Ontario Inc., owner, for changes in zoning from "DE-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "1"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "2"); from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District (Block "3"); and from "R-4" (Small Lot Single Family) District to "A" (Conservation, Open Space, Parkland and Recreation) District (Block 4) for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, as shown on the attached map marked as Appendix "E", on the following basis:
- (i) That Block "1" be rezoned from "DE-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,
 - (ii) That Block "2" be rezoned from "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,
 - (iii) That Block "3" be rezoned from "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,
 - (iv) That Block "4" be rezoned from "E-2" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family) District; and,
 - (v) That Block "5" be rezoned from "E-2" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family) District; and,
 - (vi) That the "RT-30" (Street Townhouse - Maisonette) District regulations, as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks "1", "2" and "3", be modified to include the following variance as a special requirement;
 - (a) That in addition to the requirements of Section 10F.(4)(a) of Zoning By-law No. 6593, a minimum front yard having a depth of not less than 7.0 m shall be provided and maintained for a two storey Street Townhouse Dwelling; and,
 - (vii) That the "RT-30" (Street Townhouse - Maisonette) District regulations, as contained in Section 10F of Zoning By-law No. 6593, applicable to Block "3", be modified to include the following variance as a special requirement;

- (a) That notwithstanding the requirements of Section 10F.(4)(c)(ii) of Zoning By-law No. 6593, a minimum westerly side yard having a width of not less than 1.2 m shall be provided and maintained;
 - (viii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1378, and that the Blocks "1", "2" and "3" on Zoning District Map E-59A be notated S-1378; and,
 - (ix) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council; and,
 - (x) That, upon finalization of the implementing Zoning By-law, the Lisgar Neighbourhood Plan be amended as follows:
 - (1) that the public highway shown as Street "A" on Appendix "D" be added to the Neighbourhood Plan; and,
 - (2) that Blocks "1", "2" and "3", as shown on Appendix "A" be redesignated from "Medium Density Apartments" to "Attached Housing"; and,
 - (xi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
5. (a) That Zoning Application ZAC-97-05, 200 Rymal Road Inc. (A. DiSilvestro, President), owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family) District (Block "1") and for a further modification to the established "B-2" (Suburban Residential) District (Block "2") regulations to allow for small lot single family dwellings (average lot width 10 m) and to reduce the minimum required lot size from an average of 510 m² to a minimum of 480 m² shown as Blocks "1" and "2" on the attached map marked as Appendix "F", be denied for the following reasons:
- (i) the proposed "R-4" (Small Lot Single Family) District does not provide for a proper gradation of lot sizes in accordance with the approved Allison Neighbourhood Plan; and,

- (ii) the proposed "R-4" (Small Lot Single Family) District adjacent to the existing "B-2" District (Block "1") does not provide for a proper transition of lot sizes; and,
 - (iii) the proposed "R-4" (Small Lot Single Family) District would result in an overconcentration of small lot single family dwellings whereas the existing approved development pattern provides for a balance of lot widths (i.e. 15 m, 12 m and 10 m wide lots) as provided for in the neighbourhood plan; and,
- (b) That approval be given to amended Zoning Application ZAC-97-05, 200 Rymal Road Inc. (A. DiSilvestro, President), owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family) District (Block "1") and for a further modification to the established "B-2" (Suburban Residential) District (Block "2") regulations to allow for small lot single family dwellings (average lot width 10 m) and to reduce the minimum required lot size from an average of 510 m² to a minimum of 480 m² shown as Blocks "1" and "2" on the attached map marked as Appendix "G", on the following basis:
- (i) That Block "1" be rezoned from "C" (Urban Protected Residential, etc) District to "R-4" (Small Lot Single Family) District; and,
 - (ii) That Section 2.(a) of Zoning By-law No. 93-042, is deleted in its entirety and replaced with the following:

"notwithstanding the provisions of Section 8B(4) of By-law No.6593, every lot or tract of land shall have a width of at least 15.0 metres and an area of at least 480 square metres within the district."
 - (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1303a, and that the subject lands on Zoning District Map W-9B be notated S-1303a;
 - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9E for presentation to City Council;
 - (v) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

6. (A) That approval be given to Zoning Application ZAC-97-09, Wesley Urban Ministries, owner, requesting a further modification in zoning to the established "E (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, to permit a "drop-in centre" within the existing building, for the property located at No. 195 Ferguson Avenue North, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, as amended by By-law Nos. 92-197 and 93-117, applicable to the subject lands, be further modified to include the following variances as special requirements:
 - (i) notwithstanding Section 11(1) of Zoning By-law No. 6593, the following use shall be permitted on the first and second floor of the existing building located at No. 195 Ferguson Avenue North:
 - (1) drop-in centre.
 - (ii) for the purposes of the By-law, a Drop-in Centre shall mean any building or portion thereof used for the purposes of providing counselling, professional and personal care services, guidance, religious services, recreational activities, cafeteria, temporary refuge and other similar community based activities, by a person or persons on a temporary basis and is operated by a non-profit organization but is not considered as a residential care facility, short term care facility, hostel or community centre; and,
 - (iii) Notwithstanding Section 18A of Zoning By-law No. 6593, the drop-in centre shall not be subject to the parking and loading requirements; and,
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1279b, and that the subject lands on Zoning District Map E-3 be notated S-1279b; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-3 for presentation to City Council; and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (e) That the Regional Health and Social Services Department assist Wesley Urban Ministries in setting up a Community Advisory Committee to work with area residents to help deal with any operational impacts of the "Drop-In" centre in the Beasley Neighbourhood.

- (B) That the appropriate staff work with the Wesley Centre to look for viable alternate locations for the Centre. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross -12.

NAYS: Aldermen Agro, McCulloch, Drury, Morelli, Copps. -5. **CARRIED.**

7. That the City of Hamilton support the International Village B.I.A.'s decision to hire E. Kowalksi to prepare, create and install a mural at 245 King Street East, depicting the 1953 train derailment at Ferguson Avenue and King Street East, and that a purchase order be issued in the amount of \$7,090 utilizing the previously approved monies from the Commercial Improvement Program.
8. That By-law #96-019 respecting the designation of the Barton General B.I.A., By-law #97-54 respecting the Members of the Board of Management of the Barton General Business Improvement Area, and By-law #97-090 authorizing a special charge in respect of the Barton General B.I.A., be amended to read "The Barton Village Business Improvement Area", in accordance with the B.I.A.'s decision to change its name as part of its marketing strategy.
9.
 - (a) That the City Clerk be authorized to prepare a model constitution for presentation to all BIA's for their consideration; and,
 - (b) That the City Clerk or designate attend each BIA's Annual General Meeting and conduct the elections for their respective Boards of Management if requested; and,
 - (c) That the City Clerk or designate attend the first meeting of each newly elected Board of Directors following each Annual General Meeting and conduct a Parliamentary Procedure Seminar for the Board members if requested; and,
 - (d) That the City Clerk be authorized to provide advice to Community Renewal Officers on procedural issues as and when requested. **REFERRED BACK.**

10. That the Hamilton Emergency Loan Program (H.E.L.P) be amended to reduce the established interest rate from eight percent (8%) per annum to two percent (2%) per annum for new applications with the maximum permissible loan remaining at \$2,000.
11. That the Building Commissioner be authorized to issue a demolition permit for 626 Barton Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
12. That the Building Commissioner be authorized to issue a demolition permit for 290 Lake Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
13.
 - (a) That a loan increase of one thousand, eight hundred and sixty-four dollars (\$1,864) to Peter and Gilberta Oliveira for improvements to 355 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The total loan is now \$17,288. The interest rate is set at 2.38 per cent, amortized over ten years; and,
 - (b) That an increase in grant from the Barton Street Revitalization Fund in the amount of nine hundred and thirty-two dollars (\$932) be approved to pay-down the increase of the Commercial Loan as per the terms of the Barton Street Revitalization Program.
14.
 - (a) That approval be given to application CDM-97-01 (Regional File 25CDM-97002), The Bungalows at Chedoke Limited Partnership, owner, to establish a draft plan of condominium "Bungalows at Chedoke", located south of Chedmac Drive and west of Rice Avenue and known municipally as 60 Rice Avenue, as shown on the attached map marked as Appendix "I", subject to the following conditions:
 - (i) That this approval apply to the plan prepared by J.D. Barnes Ltd. and certified by S.J. Balaban, O.L.S., dated January 27, 1997, showing a total of 41 residential townhouse units; and,
 - (ii) That the Final Plan of Condominium be in conformity with the Site Plan approved on April 27, 1995 under application DA-94-33; and,

- (iii) That the applicant satisfy all conditions of Site Plan application DA-94-33 to the satisfaction of the City of Hamilton, prior to final approval of the Plan of Condominium; and,
- (iv) That the following warning clause be registered on title for Units 15 - 28 inclusive, to the satisfaction of the Director of Planning and Development and the City Solicitor:

"Purchasers and/or tenants are advised there is a Laundry facility located to the west of this property which services a number of hospitals."; and,

- (v) That the following warning clause be registered on title for Units 1, 2, 3, 4, 5, 6 and 41, to the satisfaction of the Director of Planning and Development and City Solicitor:

"This unit has been fitted with forced air heating with rough-in provisions made to accommodate central air conditioning at a later date (Note: air cooled condensing unit shall be located in a noise insensitive area)."; and,

- (vi) That the owner(s) enter into a Joint Sewer Service Agreement for the shared services (storm and sanitary sewers) with the Region, to the satisfaction of the Commissioner of the Regional Environment Department for Phase 1 of the Plan of Condominium or that the owner provide proof that private easements have been Registered on Title in favour of the remaining lands in order to provide for sewer servicing and vehicular as well as pedestrian access for the future second phase of development; and,
- (vii) That the owner provide proof, to the satisfaction of the Director of Planning and Development and the City Solicitor, that private easements have been Registered on Title in favour of the remaining lands in order to provide for vehicular as well as pedestrian access for the future second phase of development; and,
- (viii) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,
- (ix) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton; and,

- (b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
15. (a) That approval be given to application CDM-97-03 (Regional File 25CDM-97004), Dicon Development Inc., owner, to establish a draft plan of condominium "Tiffany Creek", located west of Upper Paradise Road and known municipally as 1000 Upper Paradise Road, as shown on the attached map marked as Appendix "J", subject to the following conditions:
- (i) That this approval apply to the plan prepared by J.D. Barnes Ltd. and certified by S.J. Balaban, O.L.S., dated April 3, 1997, showing a total of 32 residential townhouse units; and,
 - (ii) That the Final Plan of Condominium be in conformity with the Site Plan approved on February 17, 1997 under application DA-96-28; and,
 - (iii) That the applicant satisfy all conditions of site plan approval to the satisfaction of the City of Hamilton, prior to final approval of the Plan of Condominium; and,
 - (iv) That the following warning clause be registered on title, to the satisfaction of the Director of Planning and Development and the City Solicitor:

"Purchasers and/or tenants are advised that individual garbage removal by the City of Hamilton will not be available for this site." and,
 - (v) That the following warning clause be registered on title for Units 2 - 6, inclusive and Units 16 - 18, inclusive, to the satisfaction of the Director of Planning and Development and City Solicitor:

"Purchasers are advised that access to the rear amenity area is provided through the living area of the unit."; and,
 - (vi) That final approval of the Plan of Condominium not be given until such time as:
 - (1) By-law No. 96-173 has been finalized;
 - (2) Development Agreement DA-96-28 has been finalized; and;
 - (3) That all conditions of Land Severance B-96-13 have been met and registered on title; and,

- (vii) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,
 - (viii) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton; and,
 - (b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
- 16.
- (a) That approval be given to Part Lot Control Application 96-03, 100 Main Street East Ltd., owner, to remove part-lot control for Lots 67 to 78, inclusive, located in "Rymal Estates", to permit the creation of 11 lots from the existing 12 lots, as shown on the attached map marked as Appendix "K"; and,
 - (b) That the appropriate By-law, to remove part lot control from Lots 67 to 78 inclusive, Registered Plan 62M-679, "Rymal Estates" plan of subdivision, be enacted by Council; and,
 - (c) That the exempting By-law be restricted to a 1 year effective time period to expire on July 1, 1998; and,
 - (d) That the exempting By-law not be forwarded to Council for adoption until such time as the applicant/owner has entered into a Service Agreement with the Region of Hamilton-Wentworth or has revised the original engineering drawings for "Rymal Estates" subdivision to the satisfaction of the Regional Environment Department; and,
 - (e) That following the enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.
- 17.
- (a) That the City of Hamilton advise the Ministry of Municipal Affairs and Housing the City of Hamilton supports the removal of certain lands within the City of Hamilton, as shown on the attached map marked as Appendix "L", from the Parkway Belt West Plan as proposed in Amendment No. 125.
 - (b) That the City Clerk be requested to forward City Council's decision to support Parkway Belt West Plan Amendment No. 125 to the Regional Clerk.

18. (a) That approval be granted to application CDM-CONV-97-001 submitted by Jose da Silva, Manuel DeJesus, and Pasqualina Pagliccia, owners, for a draft plan of condominium for property located at Nos. 914 Mohawk Road East to provide for a condominium comprised of 16 two bedroom townhouse units to condominium units, subject to the following conditions:
- (i) That this approval applies to the draft plan dated July 2, 1996 prepared by Bryan Jacobs, O.L.S.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,
 - (iii) That prior to approval of the final plan,
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,
 - (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-96-002); and,
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,

- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
 - (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
19. That Item 2B of the Ninth report of the Planning and Development Committee for 1997 regarding an Official Plan Amendment and ZAC-97-08 for property at Upper James Street and West Fifth Street - list of specific uses for Block 1, be amended by adding the following use to Section 2.b.(f)(i) as Subclause:
- "7) wall signs in accordance with the provisions of Section 13A(1)(x) of Zoning By-law 6593."
20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-34 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 412 Aberdeen Avenue.
 - (b) C-35 A By-law to Adopt Official Plan Amendment No. 139 Respecting Lands Located at 412 Aberdeen Avenue Within the Kirkendall North Neighbourhood.
 - (c) C-36 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 89-246 Respecting Land Located at the South-west Corner of Rymal Road East and Ryckman Street Known Municipally as No. 30 Rymal Road West.
 - (d) C-37 A By-law to Adopt Official Plan Amendment No. 138 Respecting Lands Located at the South-west Corner of Rymal Road East and Ryckman Street Known Municipally as No. 30 Rymal Road East Within the Allison Neighbourhood.
 - (e) C-38 A By-law to Adopt Official Plan Amendment No. 140 Respecting Lands West of Upper James Street, South of Stone Church Road West, Mewburn Neighbourhood.
 - (f) C-39 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1170-1180 Upper James Street.

- (g) C-40 A By-law to Remove Land Within the "Rymal Estates" Subdivision, Plan 62M-679 from Part Lot Control.
- (h) C-41 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the North Side of Barton Street West, East of Crooks Street.
- (i) C-42 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located West of Upper James Street and East of West Fifth Street, the Rear Portion of 1187 West Fifth Street and 1514 Upper James Street and 1468-1500 Upper James Street.
- (j) C-43 A By-law to Adopt the Downtown Hamilton Community Improvement Plan.

REPLACED.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
1997 June 18**

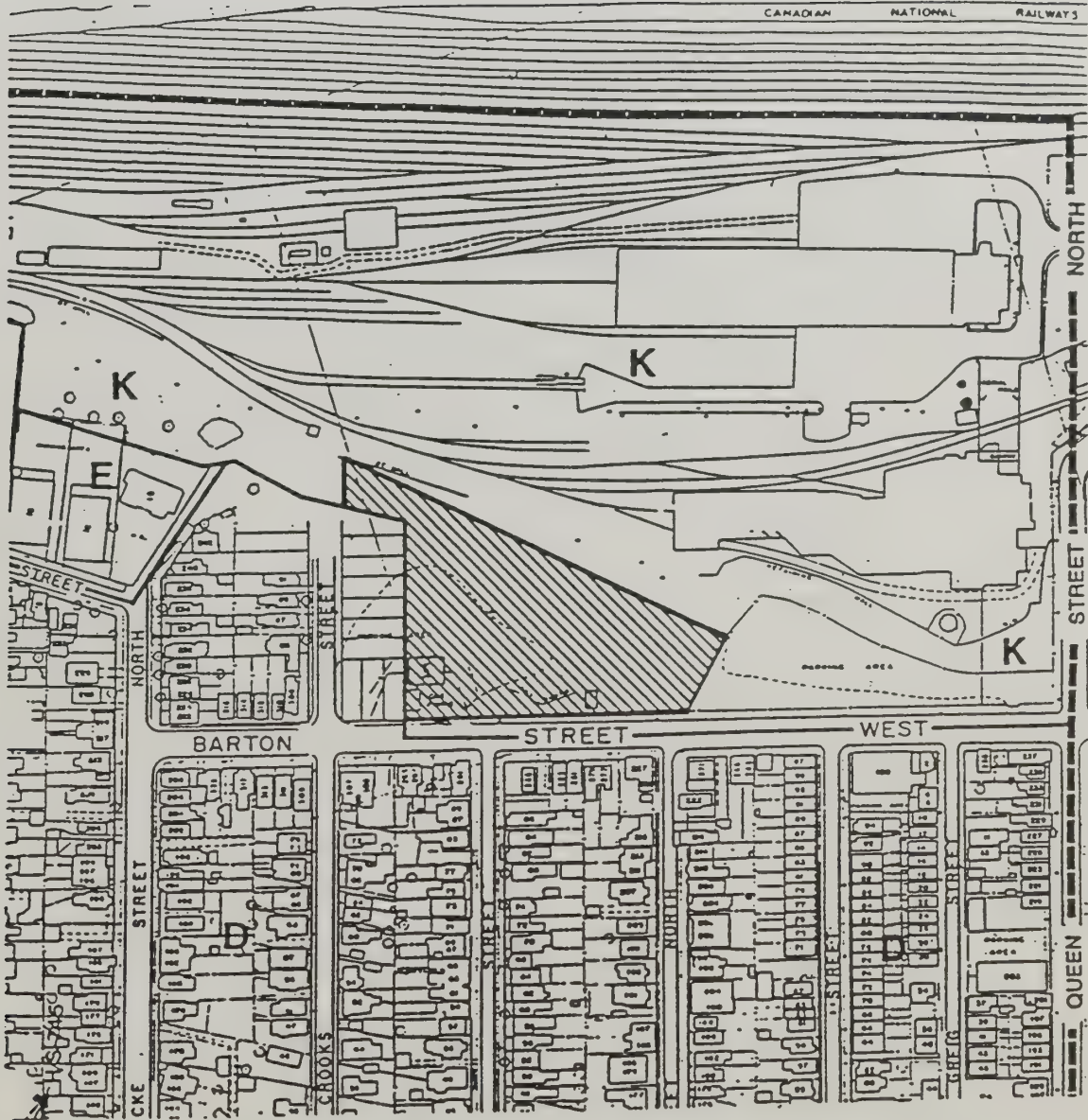


Legend



Site of the Application

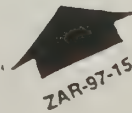
ZAC-97-16



Legend



Site of the Application



1997 June 24

Appendix "C" referred to in
Section 3(a) of the TENTH Report
of the Planning and Development
Committee for 1997

DOWNTOWN HAMILTON

COMMUNITY IMPROVEMENT PLAN

1997 May 29

- minimal marketing promotion of the advantages of Downtown Hamilton to prospective businesses and potential residents;

Yet, in spite of Downtown Hamilton's recent difficulties, there is a tremendous untapped potential:

- a population base of some 26,000 residents;
- a personal Disposable household income of residents in excess of \$500 million;
- slightly over 38,000 jobs located in the downtown;
- a strong entrepreneurial spirit among downtown merchants;
- a clear civic commitment from residents of downtown neighbourhoods;
- connections to the West Harbourfront Area and potential redevelopment;
- the Art Gallery of Hamilton, Central Public Library, Hamilton Place, duMaurier Centre, Copps Coliseum, Gore Park, Jackson Square, Hamilton Eaton Centre and City Hall which are all key anchors that underpin the vitality of the downtown community;
- the availability of low-cost customer parking; and,
- a stable population base and the socio-economic characteristics of downtown residents.
- high accessibility compared to some other major centres e.g. Toronto

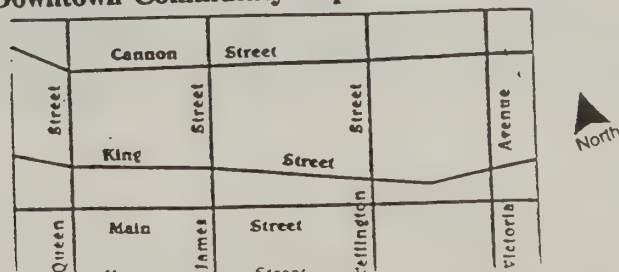
Since 1846, Downtown Hamilton has been the cultural, social and historical centre of the greater Hamilton community. In an era of "cookie-cutter" municipalities, a key strength of the City of Hamilton and the Region of Hamilton-Wentworth is its clearly identifiable City Centre - Downtown Hamilton. This area provides a unique urban ambience unparalleled in greater Hamilton. The strength and vitality of Hamilton's downtown is a clear signal of the strength and vitality of our community as a whole. The co-ordinated commitment to Hamilton's Downtown is a commitment from all citizens of Hamilton-Wentworth to the betterment of their community.

The challenges facing downtown Hamilton are challenges which face our broader community and cannot be ignored.

2. AREA OF COMMUNITY IMPROVEMENT PLAN

The Downtown Community Improvement Plan applies to the lands identified in the Downtown Community Improvement Project Area (CIPA). The CIPA is bounded northerly by Cannon Street, southerly by Hunter Street, westerly by Queen Street and easterly by Victoria Avenue (as identified in Figure 1).

FIGURE 1. The Downtown Community Improvement Project Area:



- initiate a marketing program to illustrate the affordability of moving in downtown Hamilton compared to locations closer to Toronto;
- investigate linkages between housing development in the downtown and access to the GO Station; and,
- fee rebates for new development and redevelopment projects, waiving the parking requirements and the 5% parkland dedication.

b) Those People Who Work Downtown

For this group of people, the ultimate objective is for them to either generate a profit in downtown or provide a specific service to those in the downtown core. Those groups who wish to generate a profit in downtown include existing businesses (retail, office, service sector, hotels), owners of existing buildings and owners of vacant land. Programs will have to be devised to enhance existing business operations and to attract new business ventures to the core.

Those who provide a service in the downtown area include: government, educational institutions, local churches, service organizations including the Social Planning & Research Council, hostels, food banks, etc.

There is a range of programs to consider for achieving these objectives. As successful programs are initiated in each of the other two sectors, (i.e. housing and visitors) those with an economic interest in downtown will benefit.

c) Those People Who Visit the Downtown

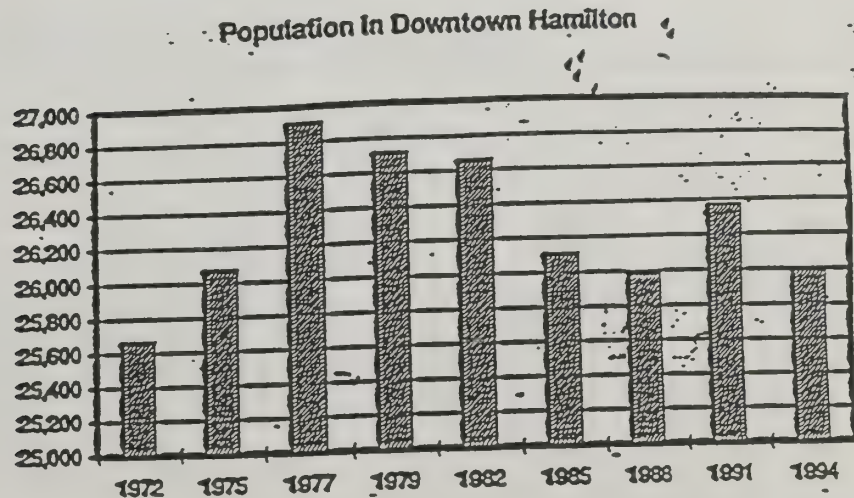
To the extent visitors can be attracted to the downtown area, additional dollars will flow to support downtown business operations. The marketing program should be targeted towards a range of visitor groupings, including those who live in the City of Hamilton and the immediate regional community, out of town visitors in Southern Ontario, the wider Provincial market and Canadian market, as well as international markets.

The intent of this exercise will be to build on the current strengths of the downtown area, develop such markets and broaden the catchment area for downtown facilities while at the same time trying to compete with distant markets to capture dollars which are currently flowing out of the community.

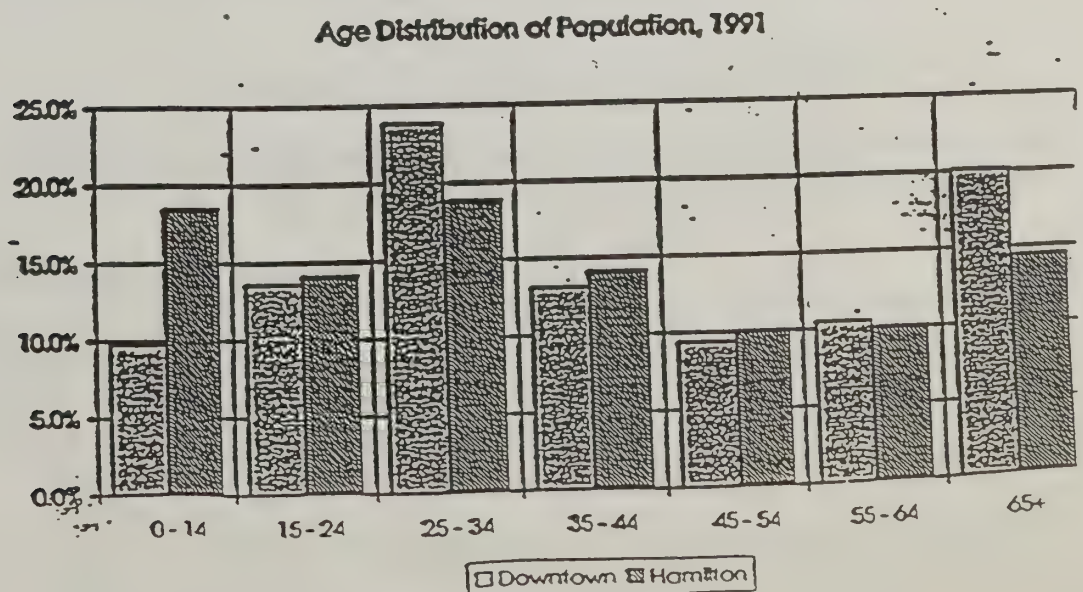
6. THE DOWNTOWN AREA - DEMOGRAPHIC ANALYSIS

The following is a summary of major demographic trends affecting the Downtown.

1. The population of Hamilton's Downtown experienced a decline in population from 1977 to 1985 and since that time has remained relatively stable in the 26,000 person range.

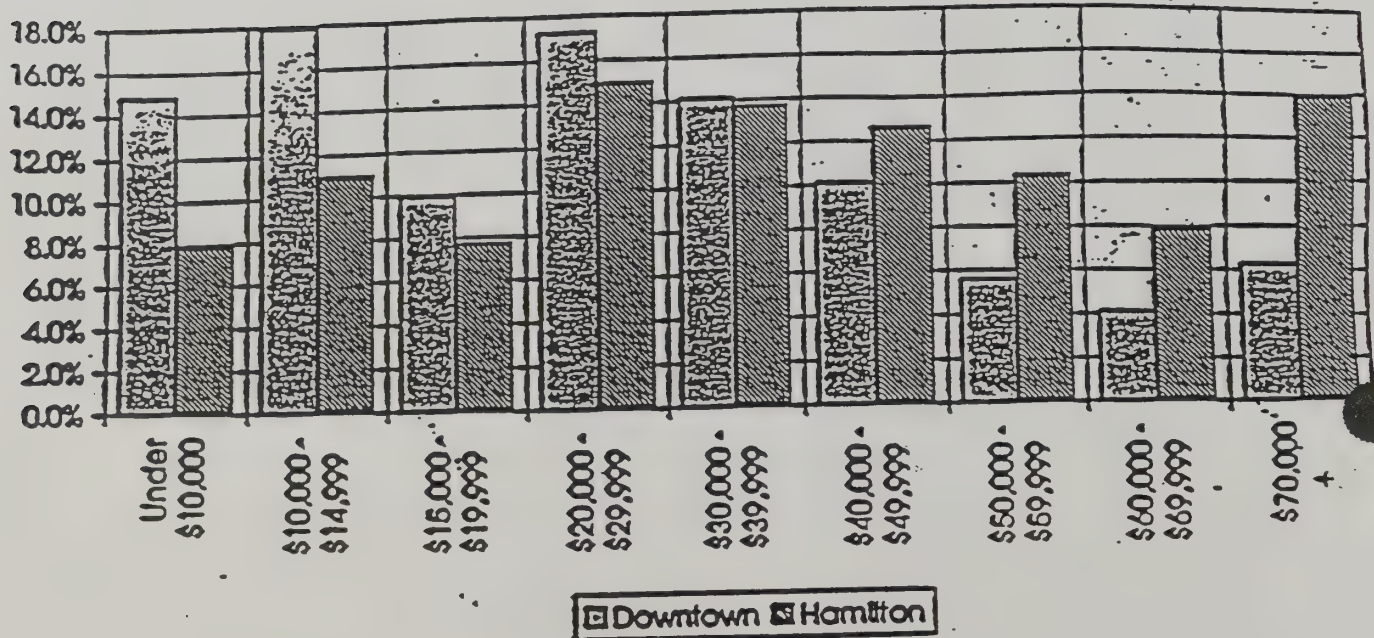


2. Downtown Hamilton recorded a higher proportion of people in the 25 to 34 years age cohort than the City of Hamilton as a whole. In addition, there was a lower proportion of children aged 0 to 14 years in Hamilton's Downtown compared to the City of Hamilton and a higher proportion of senior citizens aged 65 years and over.



5. There was a higher proportion of lower income households in Hamilton's Downtown than the overall City of Hamilton and, conversely, a lower proportion of higher income households. The average household income (1990) for Downtown households was recorded at \$31,228. compared to \$41,232. for the City of Hamilton.

Distribution of Households by 1990 Income



7. PLANNING POLICIES AND CONTROLS

The following is a list of specific controls currently in affect in the downtown and major planning concerns.

A) Regional Official Plan - Towards a Sustainable Region

- Approved by the Ministry of Municipal Affairs on 1995 January 05
- Founded on the principles of Vision 2020 - sustainable development
- Downtown Hamilton designated as the Regional Centre, on Regional Development Pattern

Part B - Quality of Life

- a) The Regional Centre is the primary focus of transit service, with an appropriate level of service and degree of accessibility.

B) City of Hamilton Official Plan - Central Area Plan - Extracts Relevant to the CIPA:

Purpose: The Central Area Plan is a secondary plan prepared to give policy direction for the area bounded by the Harbour, Queen Street, the Escarpment and Victoria Avenue. It includes Durand, Corktown, Central, Beasley, North End East and West Neighbourhoods and portions of Landsdale and Stinson west of Victoria Avenue.

Overview: The plan stresses the importance of a healthy, vibrant, well-designed, human-scale environment and economic well-being of the Central Area, with policies aimed at:

- building on the Central Area's existing attributes; and,
- creating an environment conducive to investment, redevelopment and growth.

Status: The Plan is an update of the original Central Area Plan, which dates back to 1981 and is approved by Committee.

There are outstanding appeals of the O.P.A., some of which have been lodged by the Hamilton Harbour Commissioners. Several pre-hearing mediation meetings have been held, with a fifth one to be held shortly, but no compromise solution is anticipated at this time.

Policies: The portions of the plan policies most relevant to the CIPA are:

General: the Centre of Hamilton is considered the "Regional Centre"; and to be recognized as a multi-use area; emphasis on urban design, compatibility of uses.

Downtown Core: includes most of CIPA, except far east and north-east portions.

- Permitted Uses - to maintain and enhance the downtown core, a mix of uses to be encouraged, namely commercial uses (office buildings and stores); residential development; and institutional uses, esp governments.
- Promote as primary commercial centre of Region; location for offices, retail.

Neighbourhood Plan Review - A new Beasley Neighbourhood Plan has recently been approved by City Council. The plan was prepared by staff, in conjunction with an advisory committee.

The main thrust of the plan is to make the neighbourhood an "attractive" and "desirable" place to live, namely attractive to residents by improving their quality of life, and attractive to businesses by improving their viability. Proposed actions include increasing the amount of green space; promoting mixed residential/commercial along all major streets; scaling back the one-way street system; undertaking a market value re-assessment; upgrading police presence and attention to urban design; focusing the size of the commercial downtown core into a smaller geographic area; and discouraging the creation of new parking lots.

iii) **Corktown Neighbourhood Plan**

Location - This neighbourhood comprises the area bounded by James Street, Main Street, Wellington Street and the Escarpment, and includes the portion of the CIPA south of Main and east of James.

Neighbourhood Plan Review - A review of the existing Corktown Neighbourhood Plan began in April, 1996 and is nearing completion. The draft plan, prepared with a citizen advisory committee, has been circulated to agencies. A public meeting is scheduled for December 05, 1996 to obtain input from the general public, prior to the plan being finalized and taken forward to the Planning and Development Committee for adoption in early 1997.

The purpose of the proposed plan is to create, over the next 15 years and beyond, a Corktown that is attractive, affordable and accessible, is clean, green and cohesive; is stable, livable and economically viable; has a strong identity and enhances the image of Hamilton; and has stakeholders actively involved in making decisions about the future of Corktown. Higher buildings of up to 12 storeys are proposed in the core, with lower heights to the south.

Existing Plan - The original Corktown Neighbourhood Plan was adopted by Council in November 1973, and called for a number of rezonings. It has been amended extensively since that time. It designates lands within the CIPA mainly "Commercial", and "Commercial and Apartments" and some "Civic and Institutional".

iv) **Durand Neighbourhood Plan**

Location - This neighbourhood comprises lands bounded by Queen Street, Main Street, James Street and the Escarpment. It includes the portion of the CIPA south of Main and west of James.

"CR-3" (Commercial - Residential) District

- Found in several areas in central and east part of CIPA
- Permitted Uses: Residential - multiple dwellings; apt. hotel, care facilities; etc.
Commercial - office; retail; etc.; combined with residential, separate access
Institutional & Public - nursing home; day nursery; library; art gallery
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 24 storeys

"H" (Community Shopping and Commercial, etc.) District

- Found at eastern end of CIPA
- Permitted Uses: Residential - lodging house; single family with commercial; care facilities
Commercial - wide range of retail; office; other; some light industrial
Institutional - nursing home; home for aged; day nursery; jail; clubs; etc.
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 4 to 18 storeys

"HI" (Civic Centre Protected Districts)

- Located in vicinity of Main Street and MacNab Street; Main Street and Bay Street
- Permitted Uses: hotel; nursing home; day nursery; public uses;
Commercial - professional offices; various retail and service
- Density permitted: Max. Floor Area - 8 time slot area; Max. Height - 4 to 18 storeys

"I" (Central Business District, etc.) District

- Most prevalent zoning district in CIPA; found throughout, especially west and central
- Permitted Uses: Almost any residential, institutional or public use; care facility; lodging
Commercial - almost any commercial; storage yards; industrial uses with minimal noise
- Density permitted: Max. Height - 37m (about 10 storeys) to 100m (about 30 storeys)

of buses. The original fountain is being reconstructed in the Park, and bus shelters are also being considered, so the actual amount of green space is being reduced.

iv) **Downtown Development Corporation**

The Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC) is a non-profit organization created to establish Downtown Hamilton as the economic, cultural, social and institutional centre of the Region. It was established in mid 1995, with a wide membership including politicians, business people, municipal staff, residents and other key stakeholders, and is intended to be a high profile committee of decision-makers with a mandate for action. Currently they are developing a strategic action plan that will identify downtown initiatives through public/private partnerships.

v) **Status of Downtown Initiatives**

There are many actions, studies and other initiatives underway or being considered in the downtown area. These include areas such as lighting improvements, beautification, parking meters, festivals, student housing; sign requirements; major renovation; etc. There are several committees in addition to the GHDCDC Founding Board, such as the staff Downtown Initiatives Committee.

vi) **Gore Heritage Design Study**

This study was initiated to investigate how to best conserve and enhance the special character of the Gore area of Hamilton. The Gore Park area along King Street in the downtown has much historical significance, but is now threatened by vacant buildings, and high-rise zoning. The study identifies the potential for returning existing buildings to their original condition as well as investigating design guidelines and incentives.

vii) **Social Impact - Public Amenities, Safety, Accessibility**

Crime rates in the downtown and surrounding neighbourhoods are quite high, compared to many suburban areas. These rates must be considered in the context of the higher population densities in the core, and the higher risk of crime associated with more commercial areas.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

a) **The Convert/Renovate-to-Rent Program**

The City of Hamilton will provide financial assistance to property owners within the CIPA to either create apartments in vacant spaces above stores or to bring unused or deteriorated apartments in commercial buildings into compliance with the Property Standards By-law and Fire Code (as per Appendix 'A').

b) **Fee Rebates for New Development and Redevelopment Projects, Waiving of Parking Requirements and 5% Parkland dedication**

As an incentive for development and redevelopment activities in the downtown, the City of Hamilton will offer fee rebates for planning and building new development and redevelopment projects as well as waive the 5% parkland dedication and parking requirements for residential development/redevelopment (as per Appendix 'B').

c) **Attract key "niche" retailers**

Boost the distinctive retail and day-trip profile of Downtown by targeted recruiting of one or more major retailers without a significant presence in Ontario.

d) **Prepare Plans for Renovation of Key Vacant Buildings**

Work with landlords to create redevelopment proposals for existing properties, aimed at providing facilities for design studios, computer software firms, artists studios and "loft" apartments.

e) **Improve Fibre-optic Opportunities in the Downtown**

Create a public-sector fibre-optic cable wide-area communications network focused on the Downtown in 1997, to demonstrate that Hamilton makes a good location for communications-based businesses, such as call centres and commercial "back office" functions.

f) **Canadian Society of Association Executive Convention in Hamilton**

Promote Downtown Hamilton as an excellent location for national and regional association headquarters, by specifically targeting the national trade association of those organizations.

m) New Parking Requirements

Authorize universal "no charge" 3 hour parking in all or most municipal lots, to be effective for the 1996 Holiday season. Investigate other parking incentives.

n) Relocation of Regional Offices in the Downtown

As a lever to redevelopment, Regional Municipality office space should be relocated to strategic downtown locations wherever feasible, on an aggressive timetable. If appropriate, the decision to relocate the Region's headquarters to the Court House should be reconsidered, especially if a major new corporate or institutional entity could be recruited to Downtown by leasing that property.

o) Mass-Market the Art Gallery

Encourage the Art Gallery to initiate a major reservation-ticket exhibition with commercial marketing potential.

p) Neo-traditional Development in Neighbourhoods Surrounding the Downtown

Explore with the Hamilton Halton Homebuilders, the possibility of expanding their recent initiative into the creation of a full-scale neo-traditional neighbourhood on underutilized lands adjacent to the Downtown.

q) Create a Hamilton Secondary Plan

Create a separate Downtown Neighbourhood within the City and Regional Official Plans.

r) Create a Downtown Hamilton Partnership

Establish a Downtown Hamilton Partnership, a small group of leaders of business, government and the community at large, who would set broad, strategic direction for Downtown initiatives, but whose work would be done through existing organizations and special task groups created to achieve specific results.

z) Perimeter Road

The implementation of the Perimeter Road will alleviate the through traffic and truck traffic from the downtown.

aa) Examination of Non-Resident Library Fees

Study the possibility of eliminating the non-resident library fees to encourage residents from the Region to visit the Central Library in the Downtown.

bb) Pedestrian Improvement

Investigate improvements that will make the Downtown more pedestrian friendly. Possibilities could include: sidewalk widening, canopies, re-cyclable bins, additional benches, increased lighting, additional flowers and trees, and, installation of sign trees.

cc) Murals for the B.I.A.'s.

Create wall murals within the Downtown area and investigate other public art opportunities.

dd) Mustard Festival

Implement festivals in the Downtown such as an Annual Mustard Festival.

ee) Sustainable Development Day

Bring the Sustainable Development activities to the Downtown core. Include downtown tours in the programming.

mm) **Hamilton/Halton Homebuilders Agreement**

Partner with the Hamilton-Halton Homebuilders Association for the purpose of co-ordinating the development of one or two blocks within the Downtown core. The development will act as a catalyst for other development initiatives.

10. **CONCLUSION**

The approval of a Downtown Community Improvement Plan will provide a legislative basis and context for some of the initiatives identified to foster Downtown revitalization. The Plan is intended to bring these efforts together within one document in order to ensure that the Downtown is dealt with in a comprehensive and co-ordinated manner, and that the initiatives identified can be directed towards community improvement.

As previously stated, each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process (Standing Committee and Council if needed), and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

Downtown Savings

SCHEDULE 'B'

After Downtown Initiatives

Before Downtown Initiatives

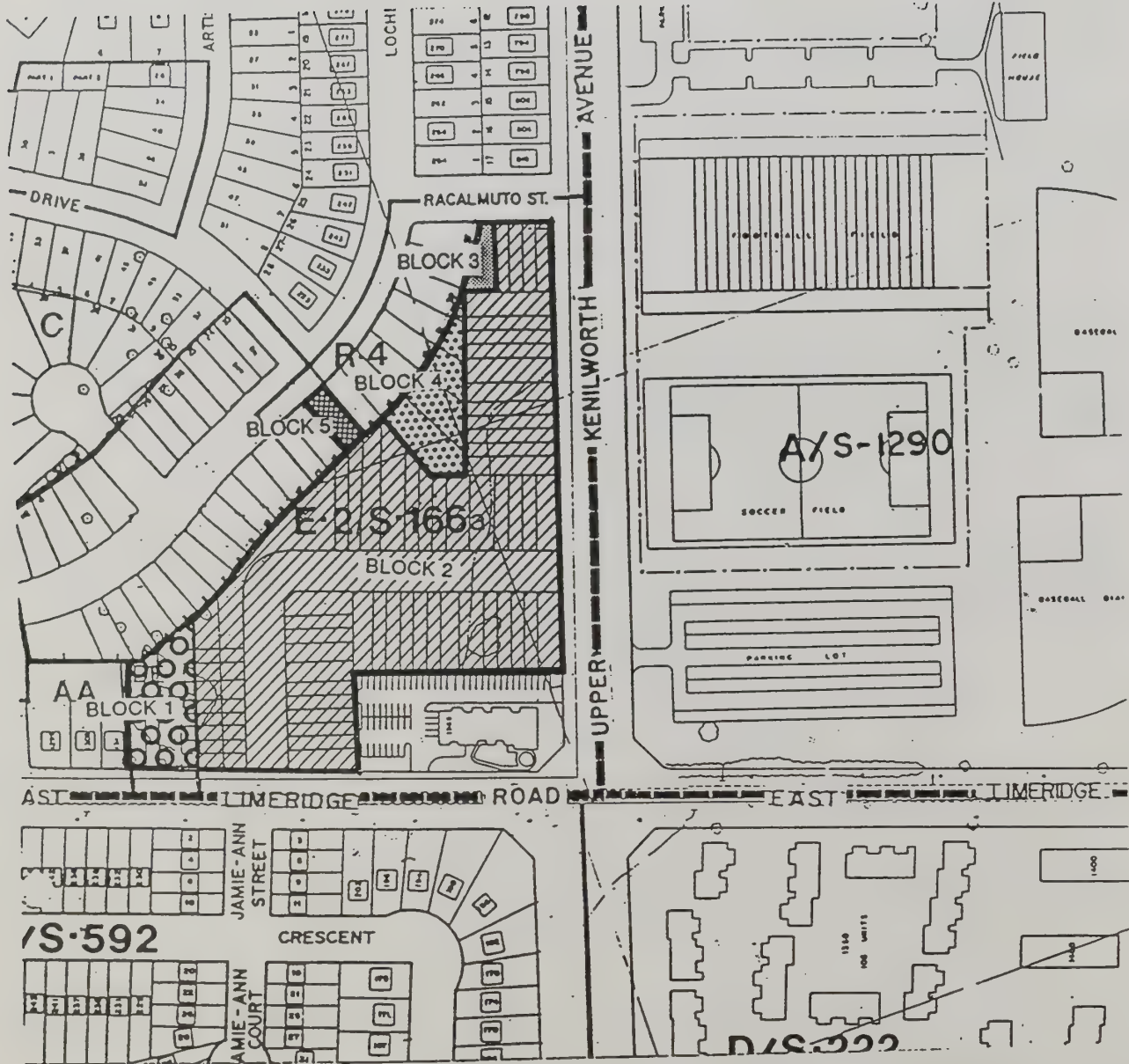
Development Charges		
Commercial - City	\$ 0.00	\$ 0.00
Commercial - Region	\$2.64 / ft ²	\$ 0.00
Residential - City	single, semi or row - \$1,565.44 2 or more bedroom apt. - \$894.54 1 bedroom apt. - \$447.27	\$ 0.00 \$ 0.00 \$ 0.00
Residential - Region	single family - \$5,113.00 multiple family - \$3,798.00 apartment - \$2,191.00	\$ 0.00 \$ 0.00 \$ 0.00
Fees *		
Official Plan Amendment	\$1,730.00	\$ 0.00
Zoning By-Law Amendment	\$1,730.00	\$ 0.00
Minor Variance (1 or 2 family dwelling)	\$250.00	\$ 0.00
Minor Variance (all others)	\$400.00	\$ 0.00
Building Permits	\$150.00 for 1st of estimated construction value + \$9.00 each additional	\$ 0.00
Site Plan Application	\$1,020.00	\$ 0.00
Revision of Approved Site Plan	\$410.00	\$ 0.00
5% Parkland Dedication	5% or cash equivalent	0% or \$ 0.00, if building permit is issued by Sept. 1 1999
Public Parking in the Downtown (designated lots only)	\$0.80/hr - \$1.60/hr	\$ 0.00 (Thursday & Friday evenings & all day Saturday)
Parking Requirements Residential	0.8 spaces per class A dwelling unit	0 spaces for renovations/conversions 10 spaces for new construction
Lot Area Requirements for Multiple Dwellings in "I" Districts	"I" District - 65m ² (699.68 square feet) lot area per dwelling unit	gross floor area not to exceed 2.85 times the area of the lot

* Fees are refundable at the time of issuance of a building permit if issued by Sept. 1999 and the fees are paid for after Aug. 27/99.

Summary of Terms of the Gore Heritage 2000 Program
A Component of the Restore The Core, Hamilton Downtown Improvement Plan

- | | | |
|-----|------------------------------|---|
| (a) | Grantor | The Corporation of the City of Hamilton |
| (b) | Initial Grant Capital | \$200,000 City funds |
| (c) | Type of Program | Matching Grant Program |
| (c) | Maximum Grant | \$20,000 per property |
| (d) | Eligible Applicants | Owners of a property located within the Gore Area, on King St. East between James St. and Catharine St. which is designated under the Ontario Heritage Act or listed on the Inventory of Buildings of Architectural and/or Historical Interest. |
| (e) | Purpose of Grant | To create a new image for the Gore through a heritage building facade improvement program. The Gore, by virtue of its economic and social importance to the health, image and sustainability of the City, is considered a top priority of downtown revitalization. |
| (f) | Realty Taxes | In good standing at all times. |
| (g) | Eligible Costs | The matching grants can be applied to heritage facade restoration as well as improvement to storefronts and signage, based on the principles established in the <u>Gore Heritage Design Study</u> . More specific information is attached as Schedule A. |
| (h) | Additional Eligible Programs | The Gore Heritage 2000 Program may be used in conjunction with other funding programs, such as the Hamilton Downtown Convert/Renovat-to-Rent Loan Program, the Commercial Property Improvement Program and the Commercial Heritage Trust Fund. |
| (h) | Conditions of Grant | The project must be fully described in the application form and the eligible items identified and approved before the work commences. The project must be completed as defined in the application form and to a high standard of craftsmanship. In the event of demolition or removal of the funded improvements within the first five years of awarding the grant, the owner of the property will be responsible for paying the full amount of the grant back to the City. |

[illegible]



Legend CHANGE IN ZONING :

BLOCK 1		From "DE-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District modified
BLOCK 2		From "E-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District modified
BLOCK 3		From "E-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District modified
BLOCK 4		From "E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single Family) District
BLOCK 5		From "E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single Family) District

Reference File No.
ZAC-97-07

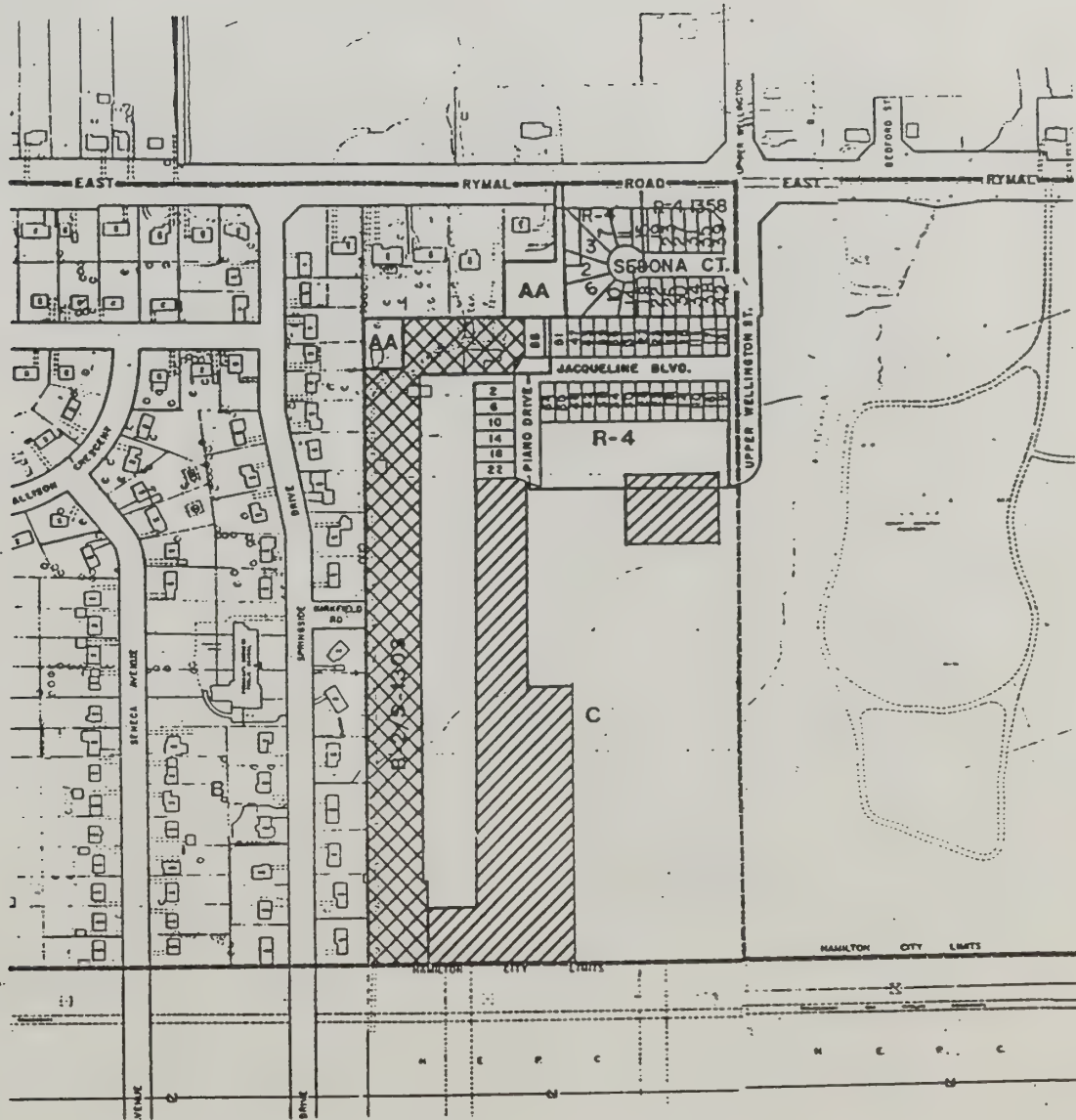
Drawn By	Date
W. B.	Jun 1997

Scale

Not to Scale

North

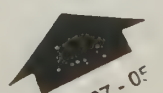




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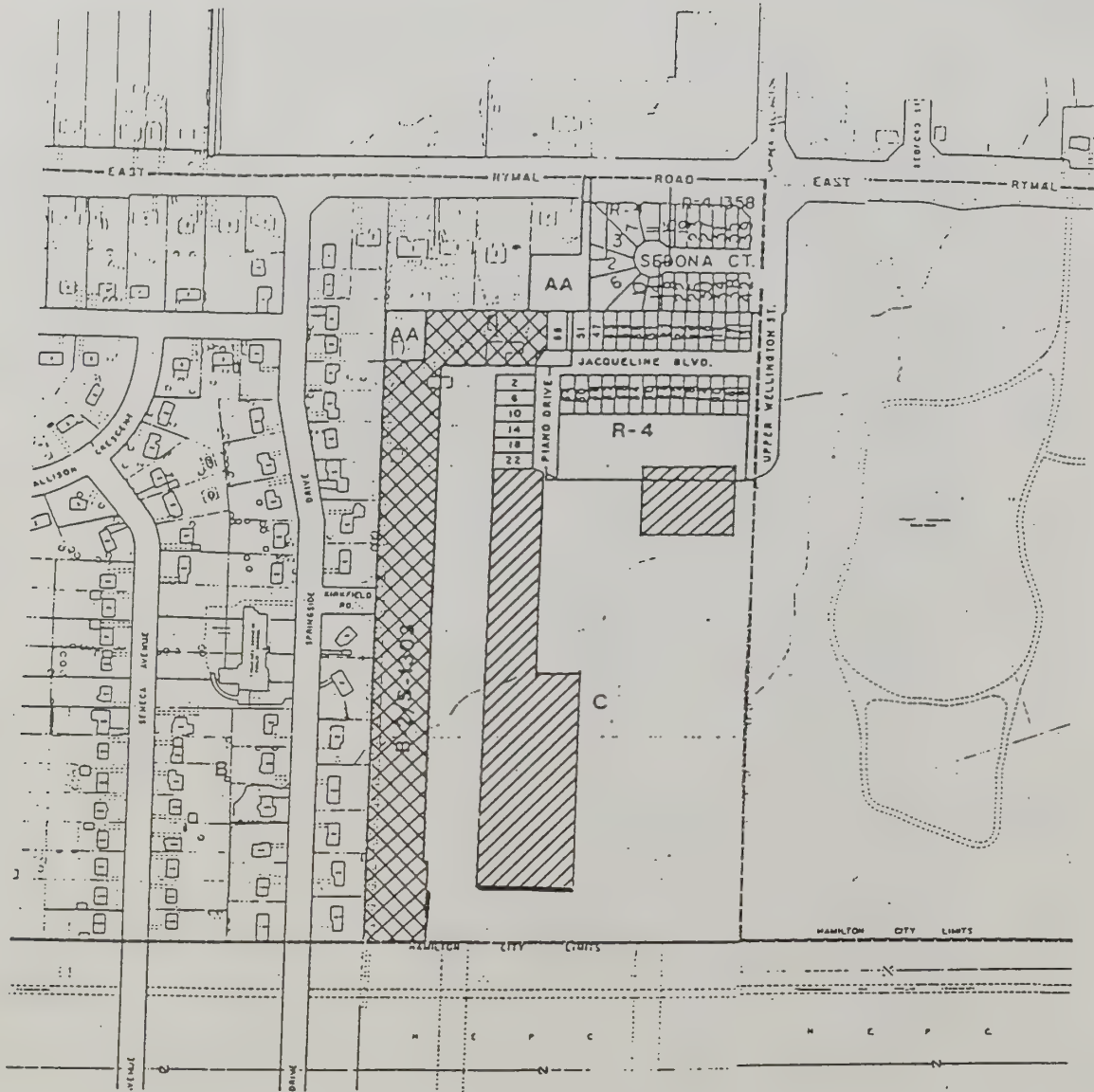
Proposed change in zoning from:

- | | | |
|---------|---|--|
| BLOCK 1 |  | "C" (Urban Protected Residential, etc.) District to "R-4"
(Small Lot Single Family Dwelling) District |
| BLOCK 2 |  | Further Modification to "B-2" (Suburban Residential)
District |


ZAC-97-05

REVISED

Appendix "G" referred to in
Section 5(b) of the TENTH Report
of the Planning and Development
Committee for 1997



Legend

BLOCK 1



Proposed change in zoning from:

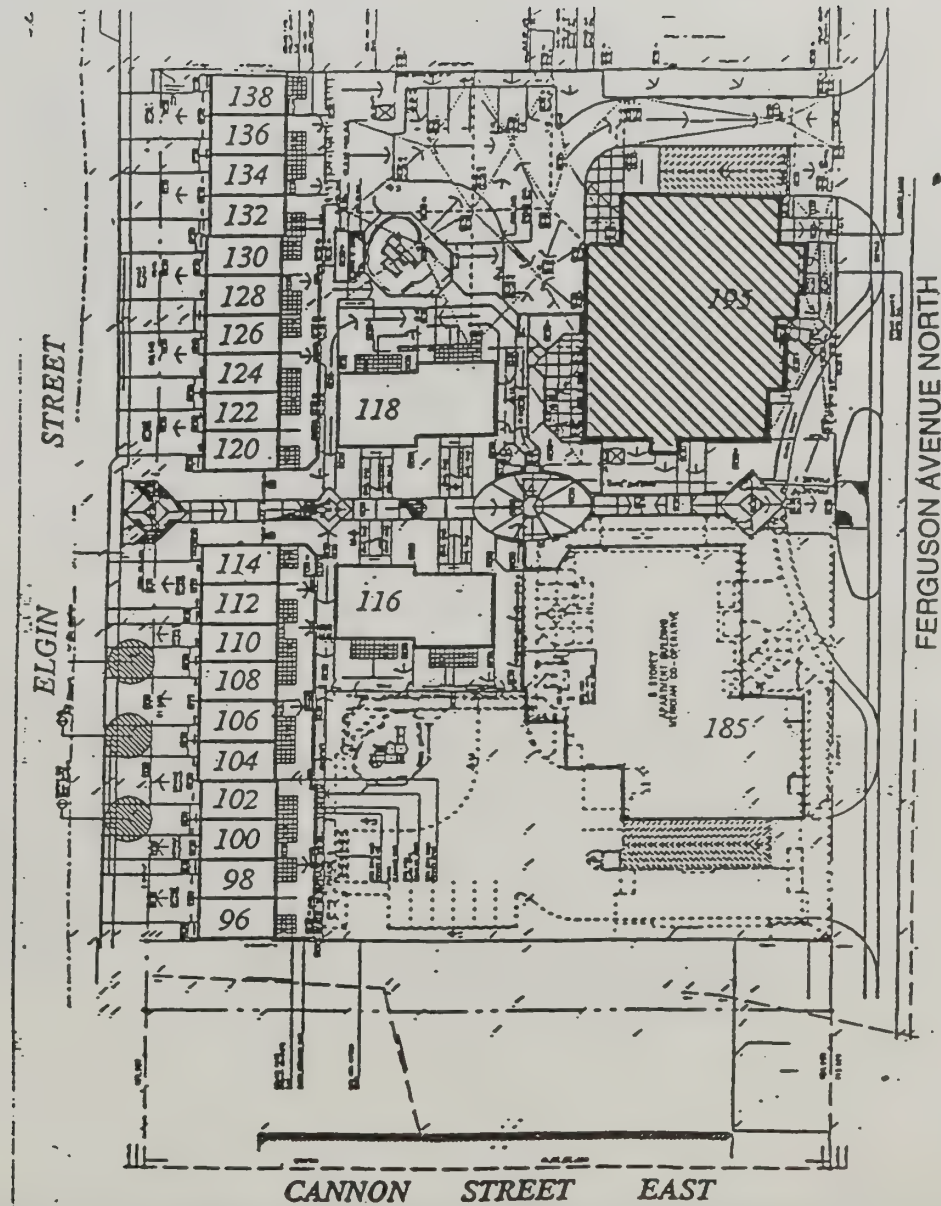
" C " (Urban Protected Residential, etc.) District to " R-4 " (Small Lot Single Family Dwelling) District

BLOCK 2



Further Modification to " B-2 " (Suburban Residential) District

ZAC-87-05



Legend



Site of the Application

ZAC-97-09



Legend



Site of the Application

Reference File No

CDM-97-01

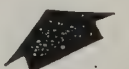
Drawn By Date

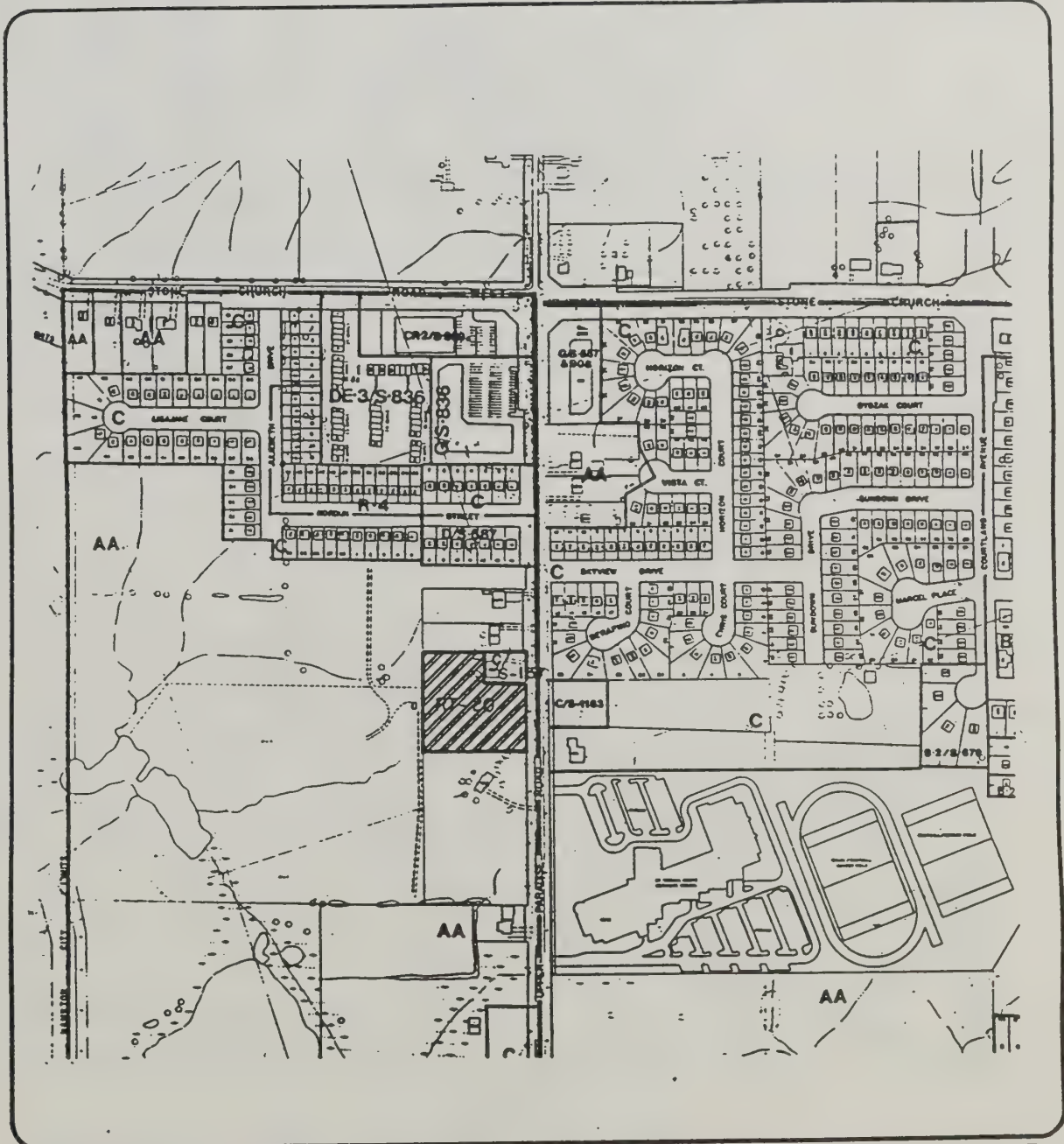
S.H. May199

Scale

Not to S

North





City of Hamilton
Location Plan For
1000 Upper Paradise

Planning and Development Department

Legend



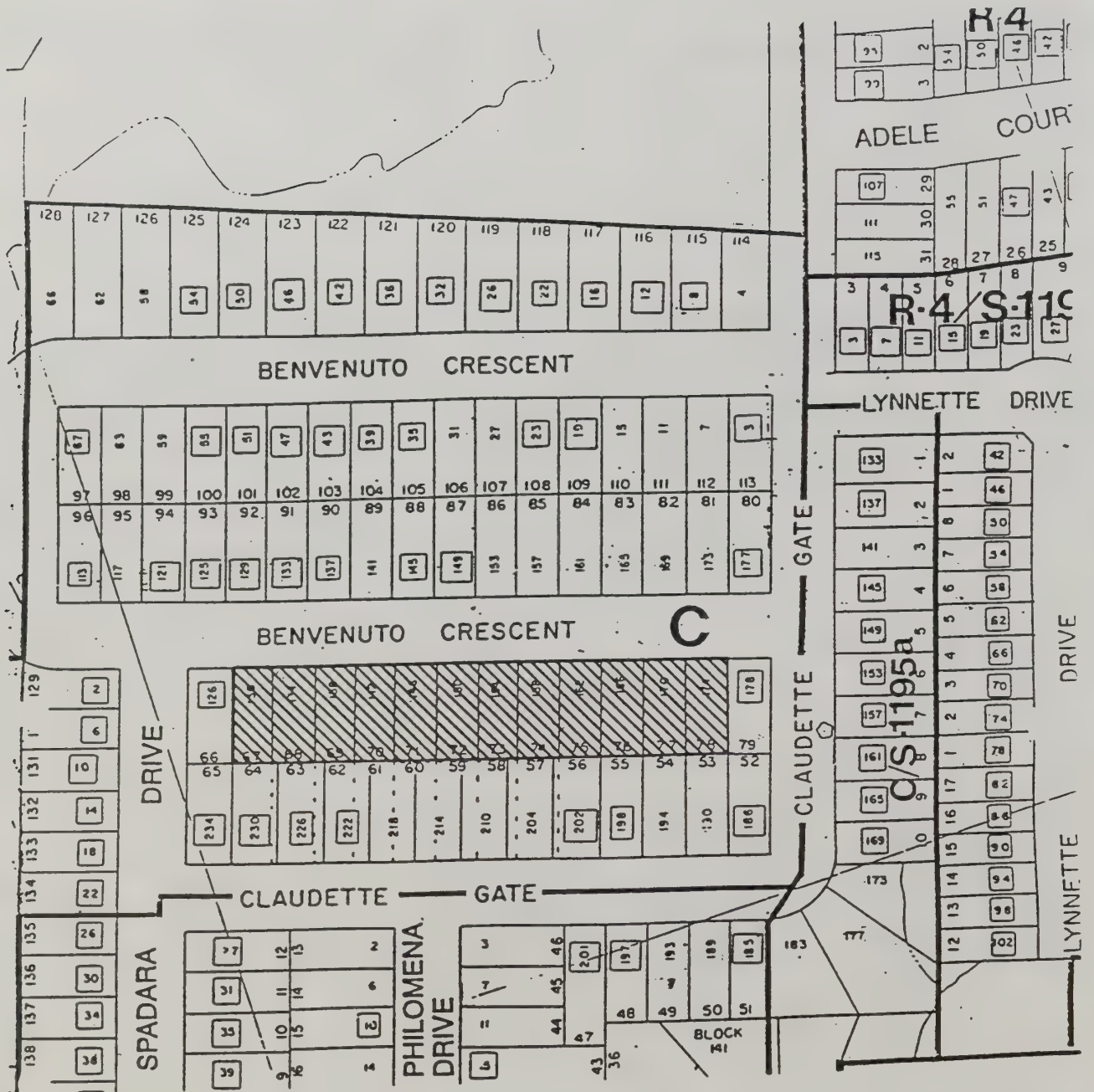
Location of Subject Lands

North



Scale
Not to Scale
Date
June 1997

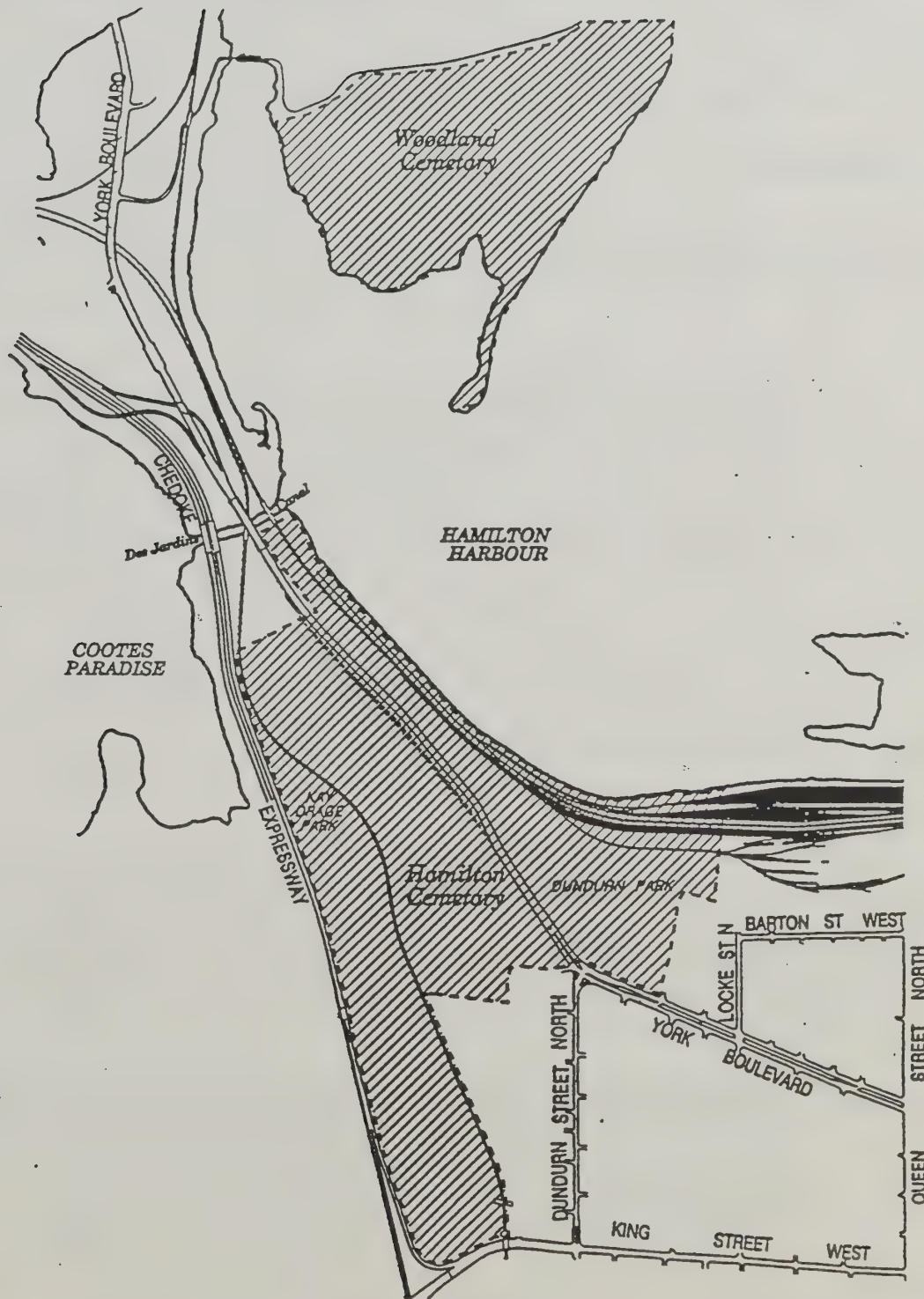
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CDM-97-03
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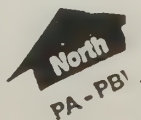
Site of the Application



Legend



Lands to be removed from
Parkway Belt West Plan
(Amendment No. 125)



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1997 and respectfully recommends:

1.
 - (a) That the 160th Birthday Programme for the Hamilton Farmers' Market as submitted by the Hamilton Farmers' Market Stallholders Association, and attached herewith as Appendix "A" be endorsed; and,
 - (b) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to erect a series of signs at various strategic entry points into the City of Hamilton to promote and provide directions to Downtown Hamilton and the Hamilton Farmers' Market; and,
 - (c) That City Council express its support for a mutual aid arrangement with the Hamilton Street Railway for free bus passes to Downtown Hamilton and the Hamilton Farmers' Market.
2. That the City Solicitor be authorized to retain and instruct outside Counsel to provide a Defence, for the individual Defendants, Joseph Ricottone, Al Vandenakker, Michael Horvath and Len Martin, for City of Hamilton, et al. -ats- Allen, in Ontario Court (General Division) Action # 97-CU-123529 pursuant to the City's Indemnification By-law #91-089. (Source of Funding Account No. CH-55428-44001)
3.
 - (a) That the City resolve Ontario Court (General Division) Action # 4094/87 by the payment to the Plaintiffs, Anne Foster, Robert Foster, Kyle Foster, Joshua Foster and Steve Foster of the sum of \$3000, inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 4094/87 and all Crossclaims and Counterclaims within the action be dismissed without costs.

4.
 - (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 10098/97 by the payment to the Plaintiff, Paul Kebic, of the sum of \$1,587.78, and by payment to the Co-Plaintiff, Steven Klotz, of the sum of \$541.42, inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff and Co-Plaintiff both be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Small Claims Court Action No. 10098/97 be dismissed without costs.
5.
 - (a) That approval be given to issue a purchase order in the amount of \$274,552.37 inclusive of G.S.T. (\$17,961.37) and inclusive of a contingency (\$25,000) to commission Trio Roofing Systems Inc. of Toronto, for the replacement of the 2nd floor roof at City Hall, being the lowest price of eight quotations received in accordance with the specifications (Ref: C15-14-97) issued by the Purchasing Division; and,
 - (b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,
 - (c) That the expenditure be financed from Capital Fund Account - City Hall Roof Replacement Phase 2 - CF 319741035 (\$300,000).
6.
 - (a) That approval be given to issue a purchase order in the amount of \$160,126.45 inclusive of G.S.T. (\$10,475.56) to commission Cahill Electric Limited of Ancaster for the replacement of the fire alarm system at the Central Library being the lowest price of four quotations received in accordance with the specifications (Ref: C15-1597) issued by the Purchasing Division; and,
 - (b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,
 - (c) That the expenditure be financed from Capital Fund Account - Library - Replace Fire Panel/P.A. System - CF319651024 (\$169,000).

7. That the City Treasurer be directed to close the following capital project accounts with any excess funding to be transferred to its original source of financing.

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319341005	Major Maintenance to Civic Buildings	\$350,000.00	\$349,914.06	\$85.94	DEB
b) 319441011	Main & Norfolk Fire Station - Mechanical/Electrical Retrofit	100,000.00	99,917.57	82.43	RCP
c) 319441014	Mountain Composite Building-Roof Replacement	65,000.00	0.00	65,000.00	DEB
d) 319541002	C.U.P. - Capital Replacements	70,000.00	69,930.35	69.65	Capital Levy
e) 319541003	Energy Management Projects	200,000.00	199,822.01	177.99	Capital Levy
f) 319541005	Mountain Arena - Roof Replacement	410,000.00	207,672.95	202,327.05	RCP
g) 319541009	Lawfield Arena - Roof Replacement	155,000.00	146,833.34	8,166.66	RCP
h) 319541010	Replace Carpeting - Regional Offices in City Hall	142,000.00	117,565.57	24,434.43	Capital Levy
i) 319641022	Energy Management Projects	111,000.00	110,910.22	89.78	Capital Levy
j) 319641028	Dundurn Castle - Hot Water Boiler System Renovations	126,000.00	125,970.98	29.02	RCP
k) 319651025	Copps Coliseum - Overhaul of Refrigeration & Air Conditioning Equipment	228,000.00	228,000.00	0.00	Capital Levy
TOTAL				\$300,462.95	

8. That a purchase order be issued to Sheridan Equipment, Grimsby, in the amount of \$98,242.20, including all applicable taxes and trade-in, for the replacement of two (2) Tractor/Loaders Units #9511 and 9530 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
9. That a purchase order be issued to Holland Chevrolet, Oldsmobile Ltd., Burlington, in the amount of \$109,244.25, including all applicable taxes, for the replacement of five (5) mid-size, four door sedans Units #1491, 1492, 1493, 1494 and 1496 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
10.
 - (a) That in accordance with the Development Agreement amended as of 1994 February 3, that the City release DeSantis Group Inc. from the registered agreements, development covenants and Site Plans registered on title of its parking lot at the south/west corner of Main Street East and Hughson Street South; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute the said releases in a form satisfactory to the City Solicitor.
11.
 - (a) That the City Treasurer be authorized to transfer the excess debenture proceeds of \$52,048.85 from Concession Library Expansion project, Account Centre No. CF 919241005 (O.M.B. No. E920410 dated 1992 July 6 and City By-Law No. 92-219) to 1996 Roads and Sidewalk Reconstruction Program, Account Centre No. CF 529642001 (City By-Law No. 96-050); and,
 - (b) That the City Solicitor be authorized to revise the City By-Law No. 97-033 to cancel the debenture authorization remaining for the Co-Generation project in the amount of \$1,264,000, Account Centre No. CF 809453006 and the balance of expenditure remaining in the account in the amount of \$386,815.27 be financed by a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108; and,
 - (c) That the City Treasurer be authorized to transfer \$46,900 from the Reserve for Debt Charges, Account Centre No. CH 00108 to complete the financing of Parks Development Project, Account Centre No. CF 629154004.

12. (a) That Mr. Wesley Shoemaker be appointed the Fire Chief for the Corporation of the City of Hamilton effective Monday, 1997 June 30; and,
 - (b) That Acting Fire Chief Gil Desjarlais return to the position of Deputy Chief of the Hamilton Fire Department, effective 1997 June 30, at his former rate of pay.
13. That the 1997 Annual Reserve and Reserve Funds Report, previously forwarded to all members of City Council, and available from the Committee Secretary upon request, be received.
14. (a) (i) That the City establish a policy of internal financing of capital projects to replace external debt financing through the transfer of funds from capital reserves; and,
 - (ii) That the policy be established at a range between the 5-10 year amortization at a rate of 25 basis points above the respective Canada Bond Rate; and,
 - (iii) That the internal financing be based on the availability of funds from the Capital Reserves to be reviewed annually by the City Treasurer and authorized annually by City Council; and,(b) That the City Treasurer be authorized to finalize internal financing arrangements in the total amount of \$9,000,000 through a transfer of funds from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101 to the various work-in-progress accounts as outlined in the Schedule attached herewith as Appendix "B", to be repayable over a period of five years based on a 5 year Canada Bond Rate as at 1996 December 31, plus 25 basis points (5.73%); and,(c) That the City Treasurer be authorized to repay the annual principal and interest charges out of the Current Budget Provision for Capital Financing, Account Centre No. CH 21102 by crediting the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101; and,(d) That the City Solicitor be authorized to revise the appropriate by-law for each capital project, noted in the Schedule attached as Appendix "B", to reflect a reduction in the corresponding debenture authority by the amount of reserve transfer noted in the Schedule attached herewith as Appendix "B", column (10); and,(e) That the Schedule attached herewith as Appendix "C" form part of the internal financing arrangement schedule, noted above in the amount of \$9,000,000; and,

- (f) That the City Treasurer be authorized to finalize internal financing arrangements for the owners' share of local improvements through a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108 to be authorized over a period of 15 years for:
 - (i) Accounts previously closed in 1995 and rated in 1996 in the amount of \$43,818.33 at the rate of 9.25% per the Schedule attached herewith as Appendix "D"; and,
 - (ii) Accounts previously closed in 1996 and rated in 1997 in the amount of \$219,116.74 at the rate of 7.00% per the Schedule attached herewith as Appendix "E"; and,
 - (g) That the City Treasurer be authorized to recover the local improvement costs (repayment of annual instalments) through the tax roll and credit the proceeds to a budgeted revenue account and to provide for the annual instalments in the current budget through a transfer to the Reserve for Debt Charges.
15. (a) That the firm of MacGillivray Partners, Chartered Accountants, be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1997 at a fee of \$113,000 including completion of the audit of the City's Financial Report, but excluding G.S.T.; and,
- (b) That a by-law respecting "To Appoint An External Auditor" be approved by City Council; and,
- (c) That the City Treasurer be directed to issue a Request for Proposal for external Audit Services for a period of up to five years, commencing in 1998 for the City of Hamilton, Local Boards, the Hamilton Hydro Electric System, and affiliated organizations.

16. That as referred to in Section 35 of the Seventh Report for 1997 of the Transport and Environment Committee,
 - (a) That the City Treasurer be authorized to incorporate the cost of Retaining Wall Reconstruction Proposal - Jackson Street West Rear of Wesanford Place in the amount of \$150,000 as a part of the approved 1997 Capital Budget; and,
 - (b) That the cost of Retaining Wall Reconstruction Proposal - Jackson Street West Rear of Wesanford Place, in the amount of \$150,000 be financed from the Reserve for Capital Project, Account Centre No. CH 00203; and,
 - (c) That staff be directed to review and consider the 1998 Capital Forecast during 1998 Capital Budget deliberations in order to stay within the guidelines approved by Council 1997 March 18.
17. That as referred to in Section 42 of the Seventh Report for 1997 of the Transport and Environment Committee,
 - (a) That an estimated cost for expenditures necessary to obtain draft plan approval for the development of "Albion Mills Estates" land in the amount not to exceed \$23,800 be funded temporarily from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH 00107; and,
 - (b) That the City Treasurer be authorized to reimburse the above reserve from the proceeds of the sale of the "Albion Mills Estates" land.
18.
 - (a) That an Offer to Purchase Agreement, duly executed by 1140532 Ontario Inc. (Angelo Papastamos) on 1997 May 26 and scheduled to close on or before 1997 August 15, for the lands municipally described as 253-257 Kenilworth Avenue North, being Lots 45, 46 and 47, Block W, Registered Plan No. 395, Hamilton, having a frontage of 22.86 metres (75.0 feet) more or less, along the west side of Kenilworth Avenue North and a depth of 30.48 metres (100 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$60,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
 - (b) That the required deposit cheque in the amount of \$6,000 be held by the City Treasurer pending Council approval; and,

- (c) That upon successful completion of this sale, a real estate commission of 6% on the \$60,000 sale price be paid to Royal LePage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
 - (e) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
19. (a) (i) That an Offer to Purchase (Tender Form), duly executed by 852904 Ontario Inc. (Sam Bono, President) on 1997 June 2 and scheduled to close on or before 1997 July 16, for the lands municipally described as 8 Brantdale Avenue, being Part 2, Plan 62R-14012, having a frontage of 9.144 metres (30 feet) more or less, by a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$21,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,
- (ii) That the required deposit cheque in the amount of \$2,100 be held by the City Treasurer pending Council approval; and,
 - (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
 - (iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 15th day of April 1997; and,

- (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
 - (b)
 - (i) That an Offer to Purchase (Tender Form), duly executed by Sam Bono Enterprises Ltd. on 1997 June 2 and scheduled to close on or before 1997 July 16, for the lands municipally described as 10 Brantdale Avenue, being Part 1, Plan 62R-14012, having a frontage of 9.327 metres (30.6 feet) more or less, by a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$23,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,
 - (ii) That the required deposit cheque in the amount of \$2,300 be held by the City Treasurer pending Council approval; and,
 - (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 15th day of April 1997; and,
 - (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
20.
 - (a) That City owned vacant land, known as 125 Birmingham Street, Hamilton consisting of .531 acres, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,
 - (b) That an Offer to Purchase, duly executed by Air Liquide Canada Inc. (ALC) on 1997 May 1 and scheduled to close on or before 1997 June 27, for the land illustrated as Part 1 on Reference Plan 62R-5666, fronting on the western limit of Birmingham Street, comprising .531 acres and known as 125 Birmingham Street, be approved and completed as the requirements in the Municipal Act pursuant to

the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$42,480 be credited to Account No. 22302 00001 (Suspense Account); and,

- (i) That this Offer be accepted subject to several conditions set out in the said Offer, including the following conditions and the conditions referenced in Appendix "F", herewith attached:
 - (1) Completion of this Agreement by ALC be conditional upon ALC and Stelco entering into and completing an agreement of purchase and sale pursuant to which Stelco conveys to the ALC the lands referred to municipally as 860 Burlington Street East, Hamilton, the parcels outlined in red on the sketch attached to the Agreement; and,
 - (2) Completion of the sale by the City be conditional upon:
 - (a) Stelco releasing the City in a form, and upon terms satisfactory to the City, from any obligation or agreement between Stelco and the City under which the City had previously agreed to sell the land to Stelco; and,
 - (b) The City and Stelco entering into a written amending agreement to modify the terms of the Industrial Drive Land Exchange Agreement to take into account the sale of the land from the City to ALC; and,
- (ii) That the required deposit cheque in the amount of \$4,248 be held by the City Treasurer pending Council approval; and,
- (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was received on 1997 June 17; and,

- (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
21. (a) That approval be given to Cogeco Cable Solutions (formerly Rogers Cablesystems) to construct, maintain and operate underground cable network, and one 2'-7" x 4' equipment pedestal on that portion of the City owned property upon which Hamilton Place is situate, more particularly being along the eastern wall of the building (Macnab Street) 30' north of Main Street West; and,
- (b) That an agreement between The Corporation of the City of Hamilton and Cogeco Cable Solutions be entered into, in a form satisfactory to the City Solicitor, prior to the commencement of the cable and equipment pedestal, installation; and,
- (c) That the installation on the City property be performed to the satisfaction of the Manager of Real Estate Division, City Clerk's Department; and,
- (d) That the term of the agreement be at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco Cable Solutions; and,
- (e) That Cogeco Cable Solutions be required to pay for the City's reasonable administrative costs incurred in the course of arranging this agreement, together with the City's reasonable legal expenses; and,
- (f) That Cogeco Cable Solutions shall pay to the City as consideration for the privilege of occupying City owned property, the sum of \$100 per annum; and,
- (g) That the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.
22. That approval be granted for the hosting of a reception to be held on Monday 1997 August 4, at 7:00 o'clock p.m., by the City of Hamilton, for the 1997 World Junior Bridge Team Championship at a cost of \$2,068, to be charged to Account No. CH54314-84010 Special Civic Receptions and Delegation Hosting.
23. That approval be granted for the hosting of a luncheon reception for the Mount Olive Lodge No. 1 Free and Accepted Masons (Prince Hall) Warranted A.D. 1852. A.L. 5852, Hamilton, Ontario, by the Mayor at the Ramada and Howard Johnson Hotel for an estimated cost of \$2,500, to be charged to Account No. CH54314-84010 Special Civic Receptions and Delegation Hosting.

24. That approval be granted for the co-sponsoring of the 65th Annual Conference of the Police Association of Ontario Reception/Opening Ceremonies on Sunday 1997 August 10, at 9:00 o'clock a.m., by the City of Hamilton for an estimated cost of \$635 to be charged to Account No. CH54314-84010 Special Civic Receptions and Delegation Hosting.
25.
 - (a) That the Commissioner of Public Works and Traffic be authorized to reconstruct additional sidewalks on a City-wide basis in 1997 at a cost not to exceed \$1,200,000; and,
 - (b) That the City Treasurer be authorized to incorporate the cost of an additional Sidewalk Reconstruction program on a City-wide basis in the amount of \$1,200,000 as a part of the approved 1997 Capital Budget, and that the cost be financed from the Reserve for Capital Projects, Account Centre No. CH 00203; and,
 - (c) That staff be directed to review and recommend replenishment of the Reserve for Capital Projects, Account Centre No. CH 00203 out of the year end surplus, if available.
26. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-40 A By-law to Amend Schedule 4 of Licensing By-law No. 93-069 Respecting: Taxi-Cab Brokers.
 - (b) D-41 A By-law to Amend: By-law No. 91-105 Respecting: Improvements to the Fire Department Radio System.
 - (c) D-42 A By-law Respecting: Appointment of an External Auditor.
 - (d) D-43 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

27. That the City Solicitor be requested to review the section of the City of Kingston By-law respecting Streets pertaining to panhandling and loitering and report back to the next meeting of the Finance and Administration Committee. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 June 17**

1837 - 1997

A

REQUEST

to

HAMILTON CITY COUNCIL

from

**THE HAMILTON FARMERS'
MARKET STALLHOLDERS'
ASSOCIATION**

on the

160th. ANNIVERSARY

of the

HAMILTON FARMERS' MARKET

May 1997, ADRS

Q: WHY THE REQUEST?

A: 2,000,000 People a year is valuable to the downtown.

"The Hamilton Farmers' Market is more valuable to the stability and well-being of the downtown core than is generally recognized".

The market is an anchor and a centre for a special type of human contact and communication. After 160 years, it remains a constant focal point for thousands of Hamilton's citizens and a wonder to many visitors.

It has always been a meeting place. The market is a social institution. It is one place where you are just as likely to bump into an old friend you haven't seen for years or a new acquaintance you were talking to only the other day.

The market draws people to the core. It is one reason for people to visit or live in the downtown. Not only for practical reasons, but for something more intangible. The market helps define the spirit, friendliness, and vitality that makes living in a city exciting. It is one of the elements that creates economic activity.....*but more importantly spins off a host of other contributions towards city life.*

The Hamilton Farmers' Market is more than a commercial supermarket.

The market:

- is Canada's largest indoor market
- is a Hamilton tradition
- is of historical significance
- brings the community together
- provides unique personalized service
- helps makes the downtown a warmer, friendlier place
- provides ethnic diversity and interest
- is convenient for downtown living

In the document, *"Strong Medicine....A Prescription for the Heart of Hamilton"* many recommendations of a dynamic and aggressive nature are put forth. Several of these initiatives are totally compatible with the activities of the market. Opportunities exist to parlay the drawing power of the market and help improve the health of the downtown.

Section 2.6.1 of this document states as its first objective:

"To analyze the obstacles that stand in the way of meeting our collective objective of making the Downtown of Hamilton and of the Hamilton-Wentworth regional community a place where our community can *"live, work, visit and play"*.

ADRS

A COMMERCIAL AND SOCIAL INSTITUTION

The City of Hamilton principally, and the Region of Hamilton-Wentworth in specific ways, have provided massive investments in the downtown. The use of taxpayers' dollars for Copps Coliseum, Hamilton Place, the Convention Centre among others, are examples of the faith and confidence the City of Hamilton hold in the downtown. These are public facilities, providing much more than just a commercial return to the city. They provide a quality of life that is important to the community's health. They also produce beneficial customer traffic to the strictly commercial enterprises located in the downtown.

Jackson Square, Eaton's and the Sheraton Hotel partnerships with the City of Hamilton, came together by using a combination of public and private dollars. This is just a partial example of the effort to develop a healthy downtown.

In other areas, tax dollars are used to attract special events. Events may draw a few hundred people into the downtown or even several thousands for a couple of hours or a few days. For a variety of reasons, all this effort, to bring more people and presumably more dollars to be spent in the Hamilton-Wentworth region, is judged to be worthy.

Approximately **2,000,000 people*** pass through the Hamilton Farmers' Market annually. Placed in context with the HECFI facilities: Copps Coliseum **650,000** - Hamilton Place **100,000** and the Convention Centre **180,000**. In total, the HECFI facilities draws under 1,000,000 people annually. It is clearly recognized that the HECFI facilities provide a real boost to the downtown. What is often forgotten is the market's role as a significant player promoting the health of the downtown.

It is the intent of this submission to persuade the City Council of Hamilton, and where required, the Regional Council of Hamilton-Wentworth and the appropriate reporting committees, the value of supporting the Farmers' Market.

As part of this year's 160th. Anniversary of the Hamilton Farmers' Market we are requesting the City Council to assist us with the celebrations. We want to continue to serve the citizens of Hamilton and welcome more out-of-town visitors to share the market experience. We are requesting Council's support in four specific areas. We believe, support for of the recommendations, will benefit the market, the downtown, and the City generally.

Attached is a outline of the program for the 160th. Anniversary of the Hamilton Farmers' Market.

* A market customer survey of market users was prepared by the Hamilton-Wentworth Planning and Development Department in 1988.

RECOMMENDATIONS

#1 NO COST CONVENIENT PARKING

That the City of Hamilton re-organize the parking regulations along the south side of York Blvd., between Bay Street and James Street. Establish the maximum number of no-charge one and/or two hour on-street parking spaces along this stretch of York Blvd.....or in the alternative, construct lay-bys for parking. That the program remain in place and evaluated for a one year trial period. That a system of compassionate enforcement be implemented.

RATIONALE FOR RECOMMENDATION

Patrons of the market are limited in the amount of produce they can physically carry. The closer patrons are able to park near the market the more convenient it becomes. Most people who shop at the market can easily purchase all their produce in less than an hour. Free, nearby, turnover parking is believed to be an inducement for people to shop at the market. Eaton's and the nearby Jackson Square stores will also benefit from this recommendation. It is equally important to work at this parking problem to shore-up Eaton's business and the stores in Jackson Square.

DISCUSSION

We are aware such a recommendation is controversial.

In view of the state of our downtown, we believe **strong medicine** is required. Some will say such measures impede traffic flow, cause congestion, present a safety hazard, affect private parking lot operators and create enforcement problems. Our response to these concerns is to ask everyone to take a good look at York Blvd. It is a marvel of transportation efficiency. It moves traffic quickly and efficiently. Years ago York Street was congested. Old stores were full of people. The market square was a hectic sea of people, cars and farmers' trucks. Far too much congestion for a healthy downtown.

Take another look at York Street. The commercial vibrancy predicted for York Blvd. is slow to materialize. Many years after its completion few people would call it a promenade. The pall over Jackson Square and the recent scare with Eaton's, is yet another sign that we need **strong medicine**. No single factor may account for the current situation. But perhaps the sterile streetscape and the dominance of vehicular street traffic needs a change.

Eaton's is the last significant department store downtown. To lose such a valuable commercial enterprise would be devastating. Eaton's and the market share many of the same customers. It is important to keep both strong.

ADRS

A LITTLE CONGESTION IS NOT ALL BAD

We believe a little congestion and greater people activity on York Blvd. is a positive. We believe a little slowing down of the traffic on York Blvd. between Bay and James street is safer for people. We believe a few free, one hour parking spaces is warranted. We believe increasing the shopping traffic downtown is good business for the parking lot operators. Better to have an overflow of vehicles from the street than an abandonment of the downtown. We believe, sensible, compassionate, parking enforcement is possible.

#2 ENDORSE THE MARKET'S 160th ANNIVERSARY PROGRAM

This recommendation is self-evident. What may appear unusual is the order in which it appears.

DISCUSSION

We feel confident that City Council will endorse our program. But, because parking is the number one concern it is placed before all others in terms of importance. While the Traffic Department is presently reviewing our request for free on-street parking we ask Council to keep the parking issue as a top priority.

#3 SIGNS AT VARIOUS ENTRANCES TO THE CITY OF HAMILTON

That the City of Hamilton erect a series of signs at various strategic entry points into the city. These signs will promote, and give directions, to the downtown and the Hamilton Farmers' Market.

DISCUSSION

This recommendation is concise and easily accommodated. City, Regional and private property can be identified for this use. The signs should reflect the Victorian theme being emphasized in the Downtown Revitalization Plans. The signs should be tasteful, ornate and decorative. Attractive landscaping around the signs could provide a pleasing and softening effect. The details can be negotiated. Properly implemented we could avoid the garish look of some past signage experiments.

The life of this recommendation is simply dependent on political will. We ask that the appropriate personnel be directed to work with the stallholders on this project.

#4 FREE BUS PASSES TO THE DOWNTOWN

Provide political support in a mutual-aid arrangement with the HSR for free bus passes to the market/downtown.

DISCUSSION

The HSR's ridership issue is a matter for continual concern. Bringing more people downtown is obviously an issue of concern. We believe a mutual-aid arrangement between the HSR and the market and other downtown merchants has the potential to increase ridership and attract people to the market and the downtown. One-way coupons (bus fare) from any point in the Region to the downtown could be provided to shoppers heading downtown. One-way return coupons (bus fare), to be provided or stamped by the market, or other participating downtown merchants, upon proof of purchase. The administrative details can be negotiated.

CONCLUSION

The attached program and recommendations provides the reasons and information to support our request to City Council. We ask you to help us, to help the downtown, be the kind of place to *"live, work, visit, and play"*.

ADRS

A
160TH. BIRTHDAY
CELEBRATION
OF THE
HAMILTON FARMERS'
MARKET
1837 - 1997

ADR - May 1997

INTRODUCTION

1997 is the 160th anniversary of the Hamilton Farmers' Market. In recognizing this milestone, the Hamilton Farmers' Market Stallholders' Association decided to initiate a special program to celebrate this achievement.

Last year, in 1996, the City of Hamilton celebrated its successful Sesquicentennial. During this celebration of the 150th anniversary of the founding of the City of Hamilton, a realization took place regarding the market. This public institution has provided a continual source of strength and vitality to the downtown. Many had forgotten just how valuable the market is to Hamilton. Many enjoy and appreciate the market, but take it for granted - it has always been there.

As part of the 1996 Sesqui celebrations, the *"Walk Through Time"* pictorial display was unveiled at the Farmers' Market. The large black and white pictures, hanging prominently from the high market ceilings, helps to remind us of our roots. The historical significance and the continuing valuable contribution the market makes to this community is often overlooked.

Many people did not realize the market is older than the city itself. It was the market that first became the economic and social centre of this community. The city, then expanded around this centre of activity. Today, downtown Hamilton struggles to meet a variety of challenges. The market faces many of these same challenges, but undaunted it remains an interesting and refreshing oasis in the centre of the downtown.

It is this oasis that offers people a welcome relief in the midst of difficulty. It is this oasis that helps to provide the downtown with a diversity of sights and sounds. It is the hustle and bustle of people coming to market that creates excitement and interest. The market is a special place. It is beyond being a place to simply purchase produce. It is a community meeting place that touches and pleases the physical senses. It provides a social and economic vibrancy to our downtown. It's a measure of what it means to be a community.

The question being posed by many of our community leaders is how to restore vibrancy to the downtown? One answer to that question is to maintain and enhance what has always been working, but not always consciously appreciated. The Hamilton Farmers' Market is a hometown institution with 160 years of tradition that enriches the life of Hamilton.

In January of this year, a committee composed mainly of market stallholders was established to develop plans to celebrate and enhance this local attraction. Former Alderman Brian Hinkley, now Community Relations Consultant and President of Alternative Dispute Resolution Services, is assisting in the development of a plan, and helping to coordinate the program.

IDEAS ARE GENERATED

In January 1997, a brainstorming meeting was held to explore a variety of ways in which the market could be promoted and celebrated. Once the objectives for the 160th. Anniversary were agreed upon, a list of 43 specific ideas were suggested. During the month of February, the ideas were circulated and members of the committee were encouraged to reflect upon and discuss the ideas. Others in the community, who have a fondness for the market were asked to help, or be part of, the anniversary program.

In March, the committee met to pare down and prioritize the list of ideas. The ideas were developed into a program that reflected the objectives for the birthday celebrations. The program was costed and a budget was agreed upon. It was clear the budget exceeded the funds available. The committee decided to make a direct appeal to City Council for the shortfall in funding.

CITY CLERK'S DEPARTMENT PROVIDES ASSISTANCE

The administration of the Hamilton Farmers' Market is directed through the City Clerk's Department. When the City Clerk's Department was made aware of the market's anniversary program they suggested that the objectives of the market program may be achieved through alternative means. Recognizing the tight fiscal realities facing City Council, it was suggested to utilize the existing resources of various civic departments. It was further suggested that the market program piggy-back on this year's special downtown revitalization plans and thereby produce a synergy of effort.

During April and May the elements of the program were discussed with various city staff. Mr. Stan Hollowell, of the Clerk's Department was of great assistance by bringing together various civic departments and the market representatives. Through the utilization of existing resources, rather than fund a program entirely with separate unbudgeted dollars, an alternative program was agreed upon.

The following represents the thrust of the program to celebrate the 160th anniversary of the Hamilton Farmers' Market. Other ideas and suggestions may come forth due to fortunate circumstances or good luck. They will be acted upon when such opportunities arise. The bulk of this program does not require political approval. However, the 160 Anniversary Committee believes it is important that the members of Hamilton City Council receive this information and be in a position to respond when required. The committee is placing four recommendations that should receive the blessings, and possibly direction of City Council.

ADRS

GENERAL ELEMENTS OF THE PROGRAM

The following provides a quick overview of the simple elements that will comprise the main focus for the market celebrations.

- * Free market parking
- * Planned special events at or around the Market
- * Spectator and other media to do feature articles on the market
- * Coordinate with the downtown revitalization activities
- * Seek promotional opportunities in conjunction with the Hamilton Health Sciences Corporation fund-raising gala being held at the market
- * Plug into promotional opportunities through the Culture and Recreation Dept.
- * Involvement and participation of Jackson Square/ Eaton's where suitable
- * Special draws for market customers
- * Community advertising
- * Commercial media advertising

REQUEST TO CITY COUNCIL

- * Support for more free parking in the vicinity of the market
- * Statement of support for the program
- * Direction to establish "Big" signs on the highway entrances into the city designed to promote the market and the downtown
- * Assist to establish an appropriate arrangement with the HSR for free bus passes to the downtown/market

THE PROGRAM IN BRIEF

* Free Market Parking

There is no issue dominating the concerns of market stallholders more than parking arrangements. This is a matter that is not clearly resolvable, without in some way, affecting the interests of others. It involves tradeoffs. Decisions will need to be reached as to the appropriateness of trading-off traffic flow, paid parking or other concerns. The provision of some free parking, close as possible to the market is deemed critical to the success of downtown shopping and the retail trade. The market is requesting parking along both sides of York Street between Bay and James Street, where it is possible. That the on-street parking be free for periods of one to two hours. That a system of compassionate enforcement be implemented.

The success of the market, the continued existence of Eaton's (Hamilton's last significant downtown department store), and the maintenance of a healthy Jackson Square shopping complex is critically important. This issue of free, convenient, parking must be addressed. The City's Traffic Department is evaluating the market's request.

Because this issue is the number one concern the matter is raised again under the specific requests to City Council.

* Planned Special Events

Throughout this year special events, such as a children's petting zoo, corn shucking contests, dunk tanks, apple-bobbing, taffy-pulling, etc. have been suggested to focus attention on the market. A special day to celebrate the birthday itself will be organized. An on-site radio broadcast may be utilized in conjunction with a special 3 to 4 hour charity fundraising effort or a program of short interviews with local celebrities chatting about their personal "**Memories of the Market**" and "**The Market's Future Potential**", have been suggested.

* Media Articles on the Market

Throughout the year the committee will explore opportunities to involve the local media in newsworthy events, and public interest stories about the Farmers' Market and, follow-up on any offers of free advertising.

* Coordination with the Downtown Revitalization

Hamilton Farmers' Market will be taken to the people through specially designed farmers' display carts set-up throughout the Gore and downtown core. The market will also be promoted in the advertising and various special publications being produced under the theme "*positively downtown*".

ADRS

*** Supporting the Market as a Unique Attraction**

The market stallholders is supporting the facility as an interesting venue for a fundraising event. This first-time event could prove the forerunner for other opportunities. The Hamilton Health Sciences Corporation will be holding a charity fund-raiser food emporium gala in the market. The food for the event will be purchased from the market. The stallholders may also be involved with the event in other ways. In the future the market may also be used as a site for a hoe-down or country dance. All of which could lend itself to additional business for the stallholders, revenue raising, and special promotional opportunities.

*** Culture and Recreation Department**

The market will be included in the Culture and Recreation Department's Spring/Summer brochure and Fall/Winter brochure. Combined circulation is in excess of 30,000.

*** Involvement and Participation of Jackson Square - Eaton's, et al.**

There are mutual benefits and opportunities by involving those nearby establishments to create synergy by working together. This could also involve Copps Coliseum, the Public Library, the Hamilton Sheraton and others.

*** Special Draws for market customers, free trips - other prizes**

This program is one that can be easily developed and implemented. Draws can be changed to suit the circumstances or held in conjunction with an outside organization or other events.

*** Community Advertising and Promotion**

The Parks Department have agreed to recognize the market's 160th year by planting a floral arrangement in the City Hall forecourt. The Hotz Community sign across from Hamilton Airport will be used to promote the market during the Spring, Summer and Fall of this year. The downtown revitalization plans include the market on advertising panels in approximately 40 bus shelters.

*** Commercial Advertising**

Paid commercial advertising will be planned in conjunction with the overall program to promote the market and its special activities.

***Request to City Council**

The City of Hamilton has a special relationship with the Hamilton Farmers' Market. Many publicly-owned facilities in the downtown core hold an aura of prestige and commands attention from the City Council. The Farmers' Market, while it attracts people to the downtown, has remained somewhat of a forgotten asset.

The market was born in 1837 and has remained as a social and community institution ever since. The valuable contribution that the market makes to this community is understated. It is important for the members of City Council to be informed of this year's activities and have the opportunity to see the market in the same light in which the market was founded. A people place. A friendly place. An informal community meeting place.

The program has elements that require some political assistance. A presentation to the City Council, through the appropriate committee, Finance and Administration, will outline these requests.

It is proposed the City Council do the following:

- 1) Provide free parking close to the market
- 2) Endorse the 160th Anniversary Program
- 3) Explore an arrangement for a promotional free bus pass program to the downtown in conjunction with the Hamilton Farmers' Market. The HSR may wish to advertise their services in return for a free bus pass arrangement. This initiative can obviously be arranged independently from the market celebrations. It is the contention that further incentives to draw people downtown are required. Destination bus passes to the downtown is one more incentive.
- 4) **"Big" Signs at Entrances to the City promoting the Market/Downtown**

The City of Hamilton can control this initiative through the various civic departments. This will require a political directive.

This above recommendations are addressed more fully in a separate document that forms the basis for the presentation to the Finance and Administration Committee.

ADRS

The City of Hamilton

05/28/97 FILE ID No. NTRACAFBUDOTNDEBSCHEDN1997ISSU

The City of Hamilton
Treasury

Appendix "C" referred
to in Section 14 of the
FOURTEENTH Report of
the Finance and
Administration
Committee for 1997

**Internal Financing Through Reserve
For Previously Authorized Capital Projects**

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101

The rate based on 5 year Canada Bond Rate as at December 31, 1996

Amortized Over Five Years @ The Rate Of **5.73%**

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
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**Internal Financing Through Reserve
Consolidated Schedule
1997**

24-Jun-97					9,000,000.00
24-Jun-98	2,120,898.20	1,605,198.20	515,700.00	5.73%	7,394,801.80
24-Jun-99	2,120,898.20	1,697,176.06	423,722.14	5.73%	5,697,625.74
24-Jun-2000	2,120,898.20	1,794,424.25	326,473.95	5.73%	3,903,201.49
24-Jun-2001	2,120,898.20	1,897,244.77	223,653.43	5.73%	2,005,956.72
24-Jun-2002	2,120,898.04	2,005,956.72	114,941.32	5.73%	(0.00)
	<u>10,604,490.84</u>	<u>9,000,000.00</u>	<u>1,604,490.84</u>		

CONSISTING OF:

**1. Barrier Free Design Access –
Recreation Buildings (Infrastructure)
Account Centre No. CF 809453003**

24-Jun-97					89,333.00
24-Jun-98	21,051.80	15,933.02	5,118.78	5.73%	73,399.98
24-Jun-99	21,051.80	16,845.98	4,205.82	5.73%	56,554.00
24-Jun-2000	21,051.80	17,811.26	3,240.54	5.73%	38,742.74
24-Jun-2001	21,051.80	18,831.84	2,219.96	5.73%	19,910.90
24-Jun-2002	21,051.79	19,910.90	1,140.89	5.73%	0.00
	<u>105,258.99</u>	<u>89,333.00</u>	<u>15,925.99</u>		

**2. Barrier Free Design Access –
Recreation Buildings (Infrastructure)
Account Centre No. CF 809453004**

24-Jun-97					62,667.00
24-Jun-98	14,767.81	11,176.99	3,590.82	5.73%	51,490.01
24-Jun-99	14,767.81	11,817.43	2,950.38	5.73%	39,672.58
24-Jun-2000	14,767.81	12,494.57	2,273.24	5.73%	27,178.01
24-Jun-2001	14,767.81	13,210.51	1,557.30	5.73%	13,967.50
24-Jun-2002	14,767.84	13,967.50	800.34	5.73%	0.00
	<u>73,839.08</u>	<u>62,667.00</u>	<u>11,172.08</u>		

The City of Hamilton
Treasury

**Internal Financing Through Reserve
For Previously Authorized Capital Projects**

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The rate based on 5 year Canada Bond Rate as at December 31, 1996

Amortized Over Five Years @ The Rate Of **5.73%**

Date	Total Payment	Principal	Interest	Interest Rate	Balance Outstanding
(1)	(2)	(3)	(4)	(5)	(6)

**3. Barrier Free Design Access –
City Owned Buildings (Infrastructure)
Account Centre No. CF 809453005**

24-Jun-97					471,831.00
24-Jun-98	111,189.50	84,153.58	27,035.92	5.73%	387,677.42
24-Jun-99	111,189.50	88,975.58	22,213.92	5.73%	298,701.84
24-Jun-2000	111,189.50	94,073.88	17,115.62	5.73%	204,627.96
24-Jun-2001	111,189.50	99,464.32	11,725.18	5.73%	105,163.64
24-Jun-2002	111,189.52	105,163.64	6,025.88	5.73%	(0.00)
	<u>555,947.52</u>	<u>471,831.00</u>	<u>84,116.52</u>		

**4. City Hall – Replace Existing Chillers &
Associated Equipment (Infrastructure)
Account Centre No. CF 809453012**

24-Jun-97					113,333.00
24-Jun-98	26,707.53	20,213.55	6,493.98	5.73%	93,119.45
24-Jun-99	26,707.53	21,371.79	5,335.74	5.73%	71,747.66
24-Jun-2000	26,707.53	22,596.39	4,111.14	5.73%	49,151.27
24-Jun-2001	26,707.53	23,891.16	2,816.37	5.73%	25,260.11
24-Jun-2002	26,707.51	25,260.11	1,447.40	5.73%	0.00
	<u>133,537.63</u>	<u>113,333.00</u>	<u>20,204.63</u>		

**5. Mountain Composite Roof Replacement
Account Centre No. CF 319441014**

Date	Total Payment	Principal	Interest		Balance Outstanding
24-Jun-97					65,000.00
24-Jun-98	15,317.60	11,593.10	3,724.50	5.73%	53,406.90
24-Jun-99	15,317.60	12,257.38	3,060.22	5.73%	41,149.52
24-Jun-2000	15,317.60	12,959.73	2,357.87	5.73%	28,189.79
24-Jun-2001	15,317.60	13,702.33	1,615.27	5.73%	14,487.46
24-Jun-2002	15,317.59	14,487.46	830.13	5.73%	0.00
	<u>76,587.99</u>	<u>65,000.00</u>	<u>11,587.99</u>		

The City of Hamilton
Treasury

**Internal Financing Through Reserve
For Previously Authorized Capital Projects**

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101

The rate based on 5 year Canada Bond Rate as at December 31, 1996

Amortized Over Five Years @ The Rate Of **5.73%**

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**6. MacNab Recreation Centre –
Building Envelope Repairs
Account Centre No. CF 319441015**

24-Jun-97					52,065.00
24-Jun-98	12,269.40	9,286.08	2,983.32	5.73%	42,778.92
24-Jun-99	12,269.40	9,818.17	2,451.23	5.73%	32,960.75
24-Jun-2000	12,269.40	10,380.75	1,888.65	5.73%	22,580.00
24-Jun-2001	12,269.40	10,975.57	1,293.83	5.73%	11,604.43
24-Jun-2002	12,269.36	11,604.43	664.93	5.73%	0.00
	<u>61,346.96</u>	<u>52,065.00</u>	<u>9,281.96</u>		

**7. Barrier Free Design Access –
Recreation Buildings
Account Centre No. CF 329441016**

24-Jun-97					196,065.00
24-Jun-98	46,203.77	34,969.25	11,234.52	5.73%	161,095.75
24-Jun-99	46,203.77	36,972.98	9,230.79	5.73%	124,122.77
24-Jun-2000	46,203.77	39,091.54	7,112.23	5.73%	85,031.23
24-Jun-2001	46,203.77	41,331.48	4,872.29	5.73%	43,699.75
24-Jun-2002	46,203.75	43,699.75	2,504.00	5.73%	0.00
	<u>231,018.83</u>	<u>196,065.00</u>	<u>34,953.83</u>		

**8. Renovate the Fire Station at
Woodward & Melvin (Infrastructure)
Account Centre No. CF 809453011**

24-Jun-97					66,667.00
24-Jun-98	15,710.44	11,890.42	3,820.02	5.73%	54,776.58
24-Jun-99	15,710.44	12,571.74	3,138.70	5.73%	42,204.84
24-Jun-2000	15,710.44	13,292.10	2,418.34	5.73%	28,912.74
24-Jun-2001	15,710.44	14,053.74	1,656.70	5.73%	14,859.00
24-Jun-2002	15,710.42	14,859.00	851.42	5.73%	0.00
	<u>78,552.18</u>	<u>66,667.00</u>	<u>11,885.18</u>		

The City of Hamilton
Treasury

**Internal Financing Through Reserve
For Previously Authorized Capital Projects**

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9. Dundurn Castle Restorations – S. & W. Facades including Dovecote & Stables Account Centre No. CF 719441022					
24-Jun-97					1,726,000.00
24-Jun-98	406,741.14	307,841.34	98,899.80	5.73%	1,418,158.66
24-Jun-99	406,741.14	325,480.65	81,260.49	5.73%	1,092,678.01
24-Jun-2000	406,741.14	344,130.69	62,610.45	5.73%	748,547.32
24-Jun-2001	406,741.14	363,849.38	42,891.76	5.73%	384,697.94
24-Jun-2002	406,741.13	384,697.94	22,043.19	5.73%	0.00
	<u>2,033,705.69</u>	<u>1,726,000.00</u>	<u>307,705.69</u>		

**10. Road & Sidewalk Reconstruction Program
Local Roads – Phase I
Account Centre No. CF 529542001**

24-Jun-97					1,149,908.00
24-Jun-98	270,981.98	205,092.25	65,889.73	5.73%	944,815.75
24-Jun-99	270,981.98	216,844.04	54,137.94	5.73%	727,971.71
24-Jun-2000	270,981.98	229,269.20	41,712.78	5.73%	498,702.51
24-Jun-2001	270,981.98	242,406.33	28,575.65	5.73%	256,296.18
24-Jun-2002	270,981.95	256,296.18	14,685.77	5.73%	0.00
	<u>1,354,909.87</u>	<u>1,149,908.00</u>	<u>205,001.87</u>		

**11. Road & Sidewalk Reconstruction Program
Account Centre No. CF 529642001**

24-Jun-97					1,000,000.00
24-Jun-98	235,655.35	178,355.35	57,300.00	5.73%	821,644.65
* 24-Jun-99	235,655.35	188,575.11	47,080.24	5.73%	633,069.54
24-Jun-2000	235,655.35	199,380.47	36,274.88	5.73%	433,689.07
24-Jun-2001	235,655.35	210,804.97	24,850.38	5.73%	222,884.10
24-Jun-2002	235,655.36	222,884.10	12,771.26	5.73%	0.00
	<u>1,178,276.76</u>	<u>1,000,000.00</u>	<u>178,276.76</u>		

The City of Hamilton
Treasury

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For Previously Authorized Capital Projects**

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**12. Queen Street Steps – Construction
Account Centre No. CF 609449020**

24-Jun-97					243,098.00
24-Jun-98	57,287.34	43,357.82	13,929.52	5.73 %	199,740.18
24-Jun-99	57,287.34	45,842.23	11,445.11	5.73 %	153,897.95
24-Jun-2000	57,287.34	48,468.99	8,818.35	5.73 %	105,428.96
24-Jun-2001	57,287.34	51,246.26	6,041.08	5.73 %	54,182.70
24-Jun-2002	57,287.37	54,182.70	3,104.67	5.73 %	0.00
	<u>286,436.73</u>	<u>243,098.00</u>	<u>43,338.73</u>		

**13. Road & Sidewalk Reconstruction Program
(Infrastructure)
Account Centre No. CF 809453008**

24-Jun-97					213,561.00
24-Jun-98	50,326.79	38,089.74	12,237.05	5.73 %	175,471.26
24-Jun-99	50,326.79	40,272.29	10,054.50	5.73 %	135,198.97
24-Jun-2000	50,326.79	42,579.89	7,746.90	5.73 %	92,619.08
24-Jun-2001	50,326.79	45,019.72	5,307.07	5.73 %	47,599.36
24-Jun-2002	50,326.80	47,599.36	2,727.44	5.73 %	0.00
	<u>251,633.96</u>	<u>213,561.00</u>	<u>38,072.96</u>		

**14. Road & Sidewalk Reconstruction Program
(Infrastructure)
Account Centre No. CF 809453009**

24-Jun-97					128,439.00
24-Jun-98	30,267.34	22,907.79	7,359.55	5.73 %	105,531.21
24-Jun-99	30,267.34	24,220.40	6,046.94	5.73 %	81,310.81
24-Jun-2000	30,267.34	25,608.23	4,659.11	5.73 %	55,702.58
24-Jun-2001	30,267.34	27,075.58	3,191.76	5.73 %	28,627.00
24-Jun-2002	30,267.33	28,627.00	1,640.33	5.73 %	0.00
	<u>151,336.69</u>	<u>128,439.00</u>	<u>22,897.69</u>		

The City of Hamilton
Treasury

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**15. Road & Sidewalk Reconstruction Program
(Infrastructure)
Account Centre No. CF 809453010**

24-Jun-97					1,374,833.00
24-Jun-98	323,986.76	245,208.83	78,777.93	5.73%	1,129,624.17
24-Jun-99	323,986.76	259,259.30	64,727.46	5.73%	870,364.87
24-Jun-2000	323,986.76	274,114.85	49,871.91	5.73%	596,250.02
24-Jun-2001	323,986.76	289,821.63	34,165.13	5.73%	306,428.39
24-Jun-2002	323,986.74	306,428.39	17,558.35	5.73%	(0.00)
	<u>1,619,933.78</u>	<u>1,374,833.00</u>	<u>245,100.78</u>		

**16. Mohawk Sports Park
Account Centre No. CF 629154022**

24-Jun-97					187,166.00
24-Jun-98	44,106.67	33,382.06	10,724.61	5.73%	153,783.94
24-Jun-99	44,106.67	35,294.85	8,811.82	5.73%	118,489.09
24-Jun-2000	44,106.67	37,317.25	6,789.42	5.73%	81,171.84
24-Jun-2001	44,106.67	39,455.52	4,651.15	5.73%	41,716.32
24-Jun-2002	44,106.67	41,716.32	2,390.35	5.73%	0.00
	<u>220,533.35</u>	<u>187,166.00</u>	<u>33,367.35</u>		

**17. Baseball Facilities Development
Account Centre No. CF 629254004**

24-Jun-97					27,840.00
24-Jun-98	6,560.65	4,965.42	1,595.23	5.73%	22,874.58
24-Jun-99	6,560.65	5,249.94	1,310.71	5.73%	17,624.64
24-Jun-2000	6,560.65	5,550.76	1,009.89	5.73%	12,073.88
24-Jun-2001	6,560.65	5,868.82	691.83	5.73%	6,205.06
24-Jun-2002	6,560.61	6,205.06	355.55	5.73%	0.00
	<u>32,803.21</u>	<u>27,840.00</u>	<u>4,963.21</u>		

The City of Hamilton
Treasury

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**18. Construct Gage Park Facilities Building
Account Centre No. CF 629064019**

24-Jun-97					40,620.00
24-Jun-98	9,572.32	7,244.79	2,327.53	5.73%	33,375.21
24-Jun-99	9,572.32	7,659.92	1,912.40	5.73%	25,715.29
24-Jun-2000	9,572.32	8,098.83	1,473.49	5.73%	17,616.46
24-Jun-2001	9,572.32	8,562.90	1,009.42	5.73%	9,053.56
24-Jun-2002	9,572.33	9,053.56	518.77	5.73%	0.00
	<u>47,861.61</u>	<u>40,620.00</u>	<u>7,241.61</u>		

**19. T. B. McQuestion Park
Account Centre No. CF 629254005**

24-Jun-97					704,859.00
24-Jun-98	166,103.80	125,715.38	40,388.42	5.73%	579,143.62
24-Jun-99	166,103.80	132,918.87	33,184.93	5.73%	446,224.75
24-Jun-2000	166,103.80	140,535.12	25,568.68	5.73%	305,689.63
24-Jun-2001	166,103.80	148,587.78	17,516.02	5.73%	157,101.85
24-Jun-2002	166,103.79	157,101.85	9,001.94	5.73%	0.00
	<u>830,518.99</u>	<u>704,859.00</u>	<u>125,659.99</u>		

**20. Chedoke Mountain Steps
Account Centre No. CF 629449012**

24-Jun-97					34,584.00
24-Jun-98	8,149.90	6,168.24	1,981.66	5.73%	28,415.76
24-Jun-99	8,149.90	6,521.68	1,628.22	5.73%	21,894.08
24-Jun-2000	8,149.90	6,895.37	1,254.53	5.73%	14,998.71
24-Jun-2001	8,149.90	7,290.47	859.43	5.73%	7,708.24
24-Jun-2002	8,149.92	7,708.24	441.68	5.73%	0.00
	<u>40,749.52</u>	<u>34,584.00</u>	<u>6,165.52</u>		

The City of Hamilton
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**21. Lighting Safety – Improvements
Account Centre No. CF 629454013**

24-Jun-97					134,033.00
24-Jun-98	31,585.59	23,905.50	7,680.09	5.73%	110,127.50
24-Jun-99	31,585.59	25,275.28	6,310.31	5.73%	84,852.22
24-Jun-2000	31,585.59	26,723.56	4,862.03	5.73%	58,128.66
24-Jun-2001	31,585.59	28,254.82	3,330.77	5.73%	29,873.84
24-Jun-2002	31,585.61	29,873.84	1,711.77	5.73%	0.00
	<u>157,927.97</u>	<u>134,033.00</u>	<u>23,894.97</u>		

**22. Crown Point East/McAnulty – Phase VI
Account Centre No. CF 429407001**

24-Jun-97					103,098.00
24-Jun-98	24,295.60	18,388.08	5,907.52	5.73%	84,709.92
24-Jun-99	24,295.60	19,441.72	4,853.88	5.73%	65,268.20
24-Jun-2000	24,295.60	20,555.73	3,739.87	5.73%	44,712.47
24-Jun-2001	24,295.60	21,733.58	2,562.02	5.73%	22,978.89
24-Jun-2002	24,295.58	22,978.89	1,316.69	5.73%	0.00
	<u>121,477.98</u>	<u>103,098.00</u>	<u>18,379.98</u>		

**23. Gore Park Walkway Restoration
Account Centre No. CF 629543010**

24-Jun-97					315,000.00
24-Jun-98	74,231.44	56,181.94	18,049.50	5.73%	258,818.06
24-Jun-99	74,231.44	59,401.17	14,830.27	5.73%	199,416.89
24-Jun-2000	74,231.44	62,804.85	11,426.59	5.73%	136,612.04
24-Jun-2001	74,231.44	66,403.57	7,827.87	5.73%	70,208.47
24-Jun-2002	74,231.42	70,208.47	4,022.95	5.73%	(0.00)
	<u>371,157.18</u>	<u>315,000.00</u>	<u>56,157.18</u>		

The City of Hamilton
Treasury

**Internal Financing Through Reserve
For Previously Authorized Capital Projects**

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101

The rate based on 5 year Canada Bond Rate as at December 31, 1996

Amortized Over Five Years @ The Rate Of **5.73%**

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
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**24. Playstructure Development
(Infrastructure)
Account Centre No. CF 809453013**

24-Jun-97					100,000.00
24-Jun-98	23,565.54	17,835.54	5,730.00	5.73%	82,164.46
24-Jun-99	23,565.54	18,857.52	4,708.02	5.73%	63,306.94
24-Jun-2000	23,565.54	19,938.05	3,627.49	5.73%	43,368.89
24-Jun-2001	23,565.54	21,080.50	2,485.04	5.73%	22,288.39
24-Jun-2002	23,565.51	22,288.39	1,277.12	5.73%	0.00
	<u>117,827.67</u>	<u>100,000.00</u>	<u>17,827.67</u>		

**25. Creative Playground
Account Centre No. CF 656652030**

24-Jun-97					400,000.00
24-Jun-98	94,262.14	71,342.14	22,920.00	5.73%	328,657.86
24-Jun-99	94,262.14	75,430.04	18,832.10	5.73%	253,227.82
24-Jun-2000	94,262.14	79,752.19	14,509.95	5.73%	173,475.63
24-Jun-2001	94,262.14	84,321.99	9,940.15	5.73%	89,153.64
24-Jun-2002	94,262.14	89,153.64	5,108.50	5.73%	(0.00)
	<u>471,310.70</u>	<u>400,000.00</u>	<u>71,310.70</u>		

The City of Hamilton
Treasury

Appendix "D" referred
to in Section 14 of the
FOURTEENTH Report
the Finance and
Administration
Committee for 1997

Internal Financing Through Reserves
Owners' Share of Locals
Accounts Closed in 1995 for Initial Rating in 1996
Rate Used for Tax Roll 9.25% for 15 Year Amortization

Date	Total Payment	Principal	Interest 9.25%	Balance Outstanding
24-Jun-97				43,818.33
24-Jun-98	5,516.53	1,463.33	4,053.20	42,355.00
24-Jun-99	5,516.53	1,598.69	3,917.84	40,756.30
24-Jun-2000	5,516.53	1,746.57	3,769.96	39,009.73
24-Jun-2001	5,516.53	1,908.13	3,608.40	37,101.60
24-Jun-2002	5,516.53	2,084.63	3,431.90	35,016.96
24-Jun-2003	5,516.53	2,277.46	3,239.07	32,739.50
24-Jun-2004	5,516.53	2,488.13	3,028.40	30,251.37
24-Jun-2005	5,516.53	2,718.28	2,798.25	27,533.08
24-Jun-2006	5,516.53	2,969.72	2,546.81	24,563.36
24-Jun-2007	5,516.53	3,244.42	2,272.11	21,318.94
24-Jun-2008	5,516.53	3,544.53	1,972.00	17,774.40
24-Jun-2009	5,516.53	3,872.40	1,644.13	13,902.00
24-Jun-2010	5,516.53	4,230.59	1,285.94	9,671.41
24-Jun-2011	5,516.53	4,621.92	894.61	5,049.49
24-Jun-2012	5,516.56	5,049.48	467.08	0.00
	<u>82,748.03</u>	<u>43,818.33</u>	<u>38,929.70</u>	

The City of Hamilton
Treasury

**Internal Financing Arrangements to be made for
Owners' Share of Local Improvements
Closed in 1995 for Initial Rating in 1996**

Centre Number CF (1)	Street (2)	Side (3)	From (4)	To (5)	By-Law Number (6)	Total Cost (8)	Debt Authority (9)	Owners' Portion of Costs (10)	Commutations (11)	Amount to be Debentured (12)
Independent Curb										
529221001	Upper Kenilworth Avenue	east	Landron Avenue	Limeridge Road	92-181	33,514.69	n/a	-		0.00
Walk and Combined Curb										
529423005	Brock Street	south	John North	24m east of Hughson North (frontage 10 Brock)	94-153	39,116.84	6,232.00	6,232.00		6,232.00
529424016	Upper James Street	west	Rymal Road	Christopher Drive	94-151	76,543.17	37,876.00	37,875.77	11,595.34	26,280.43
Alleyway										
529325002	First north of Barton East		Tragina North	Weir North (east west portion)	94-089 (93-225)	29,116.74	5,225.00	5,225.00		5,225.00
529325003	Btwn Fairfield North & Paling		Briannia Avenue	north limit of 226 Fairfield and 255 Paling	94-090 (94-025)	36,867.18	11,076.00	11,076.00	4,995.10	6,080.90
						215,158.62	60,409.00	60,408.77	16,590.44	43,818.33
						Deduct: Commutations		16,590.44		43,818.33
								43,818.33		

05/28/97

The City of Hamilton
Treasury

Appendix "E" referred
to in Section 14 of the
FOURTEENTH Report of
the Finance and
Administration
Committee for 1997

**Internal Financing Through Reserves
Owners' Share of Locals**

Accounts Closed in 1996 for Initial Rating in 1997

Rate Used for Tax Roll 7.00% for 15 Year Amortization

Date	Total Payment	Principal	Interest 7.00%	Balance Outstanding
24-Jun-97				219,116.74
24-Jun-98	24,057.84	8,719.67	15,338.17	210,397.07
24-Jun-99	24,057.84	9,330.05	14,727.79	201,067.02
24-Jun-2000	24,057.84	9,983.15	14,074.69	191,083.87
24-Jun-2001	24,057.84	10,681.97	13,375.87	180,401.90
24-Jun-2002	24,057.84	11,429.71	12,628.13	168,972.19
24-Jun-2003	24,057.84	12,229.79	11,828.05	156,742.40
24-Jun-2004	24,057.84	13,085.87	10,971.97	143,656.53
24-Jun-2005	24,057.84	14,001.88	10,055.96	129,654.65
24-Jun-2006	24,057.84	14,982.01	9,075.83	114,672.64
24-Jun-2007	24,057.84	16,030.76	8,027.08	98,641.88
24-Jun-2008	24,057.84	17,152.91	6,904.93	81,488.97
24-Jun-2009	24,057.84	18,353.61	5,704.23	63,135.36
24-Jun-2010	24,057.84	19,638.36	4,419.48	43,497.00
24-Jun-2011	24,057.84	21,013.05	3,044.79	22,483.95
24-Jun-2012	24,057.83	22,483.95	1,573.88	(0.00)
	<u>360,867.59</u>	<u>219,116.74</u>	<u>141,750.85</u>	

The City of Hamilton
Treasury

Internal Financing Arrangements to be made for
Owners' Share of Local Improvements
Closed in 1996 for Initial Rating in 1997

Centre Number CF (1)	Street (2)	Side (3)	From (4)	To (5)	By-Law Number (6)	Total Cost (8)	Debt Authority (9)	Owners' Portion of Costs (10)	Commutations (11)	Amount to be Debentured (12)
<u>Independent Curb</u>										
529521002	Glenfer Avenue	south	Mountain Avenue	32m e'y (flankage of 61 Mountain Avenue)	95-187	2,827.18	637.00	637.00	-	637.00
<u>Roadway (with curbs & walks)</u>										
529426009	Ferguson Avenue	both	Cannon Street	Barton Street	94-152	466,447.49	335,950.50	192,705.55	19,413.28	173,292.27
<u>Walk Only</u>										
529524020	Rymal Road	south	Upper James Street	Springside Drive	96-017 (95-155)	78,363.75	50,666.70	49,502.90	16,124.15	33,378.75
529624021	Solidarnosc Place	south	St. Olga Street	Barnesdale Avenue North	96-088	10,385.62	1,396.83	1,396.83	1,396.83	0.00
529324015	Upper Ottawa Street	east	Stone Church Road	275m n'y	94-026	12,887.91	22,428.00	11,808.72	-	11,808.72
						<u>570,911.95</u>	<u>411,079.03</u>	<u>256,051.00</u>	<u>36,934.26</u>	<u>219,116.74</u>
						Deduct: Commutations		<u>36,934.26</u>		<u>219,116.74</u>

05/28/97

*to the Agreement of Purchase and Sale between
Air Liquide Canada Inc. (ALC) and
The Corporation of the City of Hamilton (the City)
regarding the conveyance of 125 Birmingham St., Hamilton*

Appendix "F" referred
to in Section 20 of the
FOURTEENTH Rep.
the Finance and
Administration
Committee for 1997

1. **Paramountcy**

The provisions contained in this Schedule supersede any contrary terms contained in the City of Hamilton's standard form agreement to which this Schedule is attached.

2. **Completion Date**

This agreement shall be completed at 1:00 p.m. on the 20th day of June, 1997, unless the parties agree, in writing, to an earlier date. But the Purchaser may delay closing for up to 90 days to accommodate ALC's purchase of the Ontario Hydro lands (clause 3 below) and ALC's purchase from Stelco Inc. (clause 4 below).

3. **Conditional Upon Ontario Hydro Acquisition**

Completion of this agreement by ALC is conditional upon ALC and Ontario Hydro entering into and completing an agreement of purchase and sale pursuant to which Ontario Hydro conveys to the ALC the lands immediately to the south of the City's lands being the lands described in Hydro Deed No. 75707 N.S. shown in yellow on the attached sketch.

4. **Conditional Upon Stelco Acquisition**

Completion of this agreement by ALC is conditional upon ALC and Stelco entering into and completing an agreement of purchase and sale pursuant to which Stelco conveys to the ALC the lands referred to municipally as 860 Burlington Street East, Hamilton, the parcels outlined in red on the sketch attached hereto.

5. **Stelco Release**

Completion of the sale by the City is conditional upon:

- (a) Stelco releasing the City in a form, and upon terms satisfactory to the City, from any obligation or agreement between Stelco and the City under which the City had previously agreed to sell the land to Stelco;
- (b) the City and Stelco entering into a written amending agreement to modify the terms of the Industrial Drive Land Exchange Agreement to take into account the sale of the land from the City to ALC.

6. **Declaration of Possession**

The City of Hamilton will deliver to the Purchaser, on or before closing, a statutory declaration on behalf of the City of Hamilton (in the Dye & Durham Form No. 129 (revised February, 1991) format) amended as required to apply to the transfer from the City to the Purchaser, in a form reasonably satisfactory to the Purchaser and its solicitors, providing evidence that the City of Hamilton has been in exclusive possession of Part 1 on 62R-5666 (except to the extent that Stelco occupied the lands) since its acquisition.

7. **Simultaneous Conveyances**

The ALC will exercise its best efforts to establish a closing time of 1:00 p.m. at the Hamilton Registry Office to complete its purchases from Stelco Inc. and Ontario Hydro. The City of Hamilton undertakes its best efforts to attend at the Hamilton Registry Office at 1:00 p.m. on the day of closing to complete its transfer to the ALC. It being the mutual intention that, so far as possible, ALC will complete its purchases from the City of Hamilton, Stelco Inc. and Ontario Hydro simultaneously.

8. Authorizing Bylaw

On closing the City will deliver a certified true copy of the Council's Resolution and confirming Bylaw authorizing the sale of 125 Birmingham Street, Hamilton to the ALC.

9. GST Wash

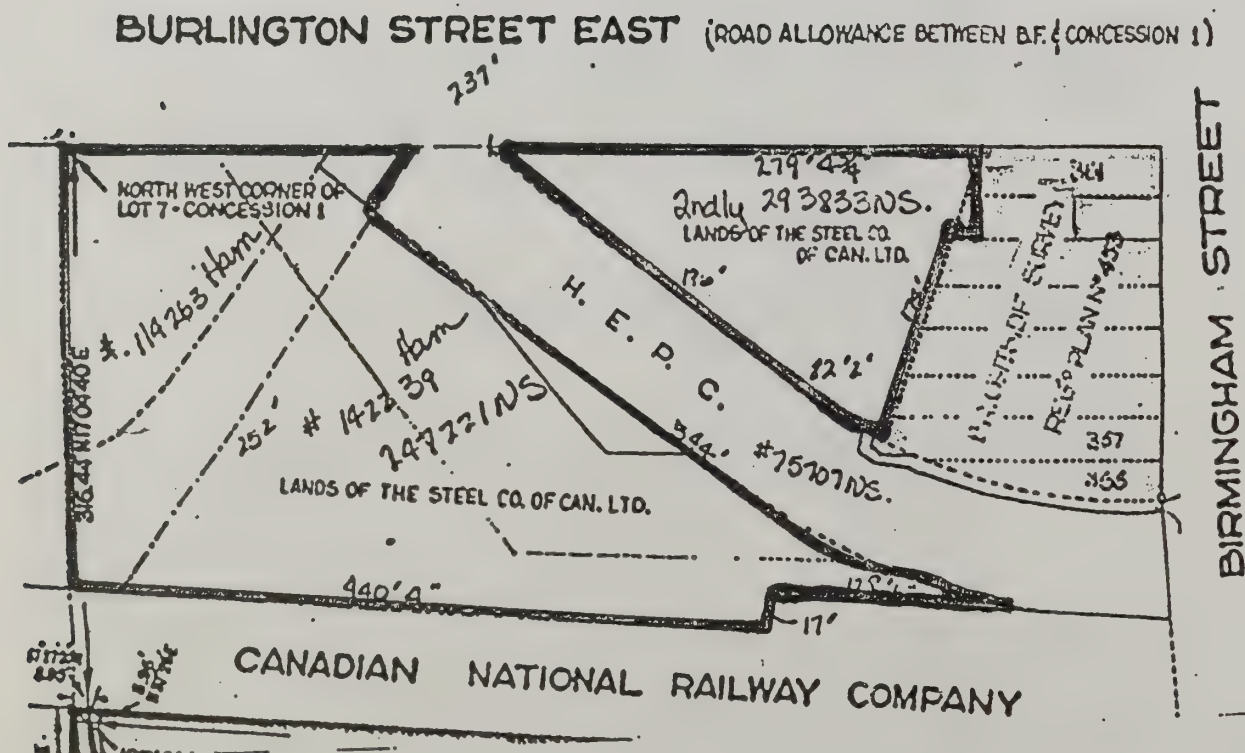
- (a) The Vendor and the Purchaser warrant, each to the other, that, in accordance with Section 221 (2)(b) of the GST Tax Act,
 - (i) that both parties are registered under Subdivision d, the Vendor's GST Registration Number is #122 666 373 and the Purchaser's GST Number is R100767532; and,
 - (ii) that the property being acquired is not a supply of residential complex made to an individual;
- (b) The Purchaser hereby certifies to the Vendor that the Purchaser is a registrant for purposes of Goods and Services Tax ("GST") pursuant to the Excise Tax Act (Canada) (the "Act"), as amended from time to time, under No. R100767532 and is entitled not to be required to pay GST to the Vendor on this transaction by virtue of section 221 (2)(b) of the Excise Tax Act (Canada). The Purchaser's GST registration has not been varied or revoked.
- (c) It is therefore agreed in respect of the purchase and sale of this property, that the Vendor is exempt from the duty to collect from the Purchaser and remit to Revenue Canada any Goods and Services Tax;
- (d) The Purchaser (ALC) covenants to the Vendor
 - (i) to complete and sign GST Form 60 and to file Form GST 60 and remit within the time period stipulated in the Act all GST, if any, payable in respect of the above-noted transaction, in accordance with section 228(4) of the Act; and
 - (ii) to indemnify and save harmless the Vendor as to any GST liability, penalty, interest or other amount for which the Vendor may become liable as a result of not having collected GST from the Purchaser on the closing of this transaction.

10. Environmental - Phase II

- (a) Completion of this agreement by the Purchaser is conditional upon the Purchaser receiving a satisfactory Phase II Environmental Site Assessment audit report and a satisfactory Geotechnical Audit (which will include soil stability assessments, settlement analysis and pile driving analysis) to be performed by Trow Consulting Engineers, 428 Millen Road, Stoney Creek, Ontario, which assessment and audit are to be conducted in accordance with the requirements of the current Canadian Standards Association and the requirements of the Canadian Mortgage and Housing Corporation (hereinafter referred to as "environmental audit").
- (b) If ALC, in its sole and subjective discretion, does not receive a satisfactory environmental audit then it may terminate this agreement by written notice to the City.
- (c) In that event the City may, at its sole discretion, request a copy of the audit for its own use provided that the City reimburses ALC for one-half of the cost of the audit.
- (d) The City authorizes ALC and its agents to enter upon the lands to conduct the environmental audit. ALC acknowledges that it will conduct its audit at its sole expense, at its sole risk and in compliance with all health and safety and related laws and regulations. ALC undertakes to treat all information contained in the environmental audit strictly confidential and

to be disclosed to others on a need-to-know basis only and on condition that those receiving information shall keep it strictly confidential. ALC hereby agrees to indemnify and save harmless the City from and against any liability imposed by law and from and against all actions, interests, claims, demands, costs, damages and expenses, whether direct or indirect, which the City may sustain or incur in connection with ALC or its agent entering upon the City's land.

- (e) The City authorizes ALC and its surveyors to enter upon the lands to conduct such surveying work as it sees fit. ALC acknowledges that it will conduct its surveying work at its sole expense, at its sole risk and in compliance with all safety laws and regulations. ALC hereby agrees to indemnify and save harmless the City from and against any liability imposed by law and from and against all damages, interests, claims, demands, costs and expenses, whether direct or indirect, which the City may sustain or incur in connection with ALC and its surveyors entering upon the City's lands.



This sketch is included only for the purposes of identifying the Ontario Hydro and Stelco Inc. lands which are to be purchased at the same time that CIA purchases the City's lands. The City's lands are shown outlined in orange only for the purposes of showing the location of those lands in relation to the Stelco Inc. and Ontario Hydro lands. The lands to be conveyed are the lands designated as Part 1 on 62R-5666.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. That the Garage A and Garage B2 Licences of Victor Vervaeke be revoked on the grounds of the licensee's continuing non-compliance and convictions under City of Hamilton Licence By-law 93-069.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRPERSON
LICENSING COMMITTEE**

**Stella Glover
Secretary
1997 June 11**

1997 July 8

Minutes of Hamilton City Council

Tuesday, 1997 July 8

7:30 o'clock p.m.

Council Chamber, City Hall

URBAN MUNICIPAL

JUL 23 1997

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 June 24th were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented a plaque to Margaret Koropatnicki in recognition of her being Hamilton's Municipal Senior of the Year.

* * * * *

Mayor R. M. Morrow presented a Civic Award to Sammy Smith, Provincial Champion, Tae Kwon Do.

* * * * *

Mayor R. M. Morrow presented Civic Awards to the Hamilton Transway Girls Atom Basketball Team for winning the Provincial Championship.

* * * * *

Mayor R. M. Morrow presented Civic Awards to Hamilton participants in the 27th International Children's Games held in Sparta, Greece.

CORRESPONDENCE

1. Letter dated July, 1997 from Terry Cooke, Regional Chairman, Regional Municipality of Hamilton-Wentworth respecting an open letter to Ontario Municipal Leaders.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Caplan in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT

**Section 1 Re: Philip Environmental Inc. - Sedimentation Ponds - Parkdale Avenue
North adjacent to the Hamilton Harbour**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -
14

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Rule No. 9 - Purchase Order

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a purchase order being issued to LaFarge Construction of Hamilton, Ontario, for the sidewalk reconstruction, decorative lighting installation, planting bed preparation and irrigation for the redevelopment of the north side of King Street East between James Street and Mary Street.

CARRIED.

* * * * *

Section 25 Re: Purchase Order - LaFarge Construction

It was moved by Alderman Merling and seconded by Alderman Anderson that the Eighth Report of the Transport and Environment Committee for 1997 be amended by adding the following as Section 25:

- "(a) That a purchase order be issued to LaFarge Construction of Hamilton, Ontario, in the amount of \$462,827.50 plus applicable taxes and contingency for a total of \$559,425.43, for the sidewalk reconstruction, decorative lighting installation, planting bed preparation and irrigation for the redevelopment of the north side of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications RHW-97-45 (HW) issued by the Region's Department of Transportation and vendor's tender; and,
- (b) That this expenditure be financed from Capital Funds Account No. CF5207 609755033; and,
- (c) That the Mayor and City Clerk be authorized to execute the associated contract in a form satisfactory to the City Solicitor."

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTH REPORT

Section 5 Re: Sale of alcoholic beverages - Hamilton Hornet Rugby Football Club

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Copps, Jackson. -2

CARRIED.

* * * * *

Section 7 Re: 2002 North American Aboriginal Games

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - ELEVENTH REPORT

Section 5 Re: Mobile Sign By-law

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Charters, Jackson. -2.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - TWELFTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Section 12 Re: Financing - Hamilton Beach Neighbourhood Plan

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Section 12 of the Fifteenth Report for 1997 of the Finance and Administration Committee be amended by deleting the words "considered in the 1998 Capital Budget process" in the first paragraph and inserting the word "approved" in lieu thereof; and, by deleting the word "considered" in sub-section (a) and inserting the word "included" in lieu thereof; and, by deleting "1998" in sub-section (a) and inserting "1997" in lieu thereof, and further that the following be added as sub-section (c):

- (c) That, if the Province does not agree with the agreement by December 31, 1997, the funding will be reconsidered in the 1998 budget. **CARRIED.**

* * * * *

Section 13 Re: Draft By-law regarding Loitering, Panhandling and other issues

It was moved by Alderman Charters and seconded by Alderman Ross that Item 13 of the FIFTEENTH Report of the Finance and Administration Committee for 1997 be deleted and replaced with the following:

13. (a) That the City of Hamilton Law Department Staff be directed to work with the Hamilton-Wentworth Police Department to draft a bylaw for the City of Hamilton regarding Loitering, Panhandling, and other issues in the Downtown Core based on the results of the Police surve presently being conducted in the Downtown Core, and;
- (b) That a report and the By-law be brought back to a special meeting of the Finance and Administration Committee in three weeks. **CARRIED.**

* * * * *

Section 15 Re: Country Music Week '97 held in Hamilton

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

* * * * *

Section 16 Re: Liquor Licence Board of Ontario - Sheraton Hamilton Hotel for a reception on the rooftop of Lloyd D. Jackson Square

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Wilson. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

NOMINATING COMMITTEE - FOURTH REPORT

ACTING MAYOR FOR THE MONTH OF AUGUST, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman C. Collins be appointed Acting Mayor for the month of August 1997.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Cops, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

City Council then adjourned at 8:50 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 July 8
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1997 and respectfully recommends:

1. (a) That the Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton does not object to Philip Environmental Inc. receiving approval for the construction and operation of two sedimentation ponds, as part of a storm water management plan, to be located along the west property boundary at Parkdale Avenue North adjacent to the Hamilton Harbour, on the condition that:
 - (i) a monitoring program be implemented by the applicant under the direction of the Ministry of Environment and Energy, to ensure that the facility functions to the prescribed requirements; and,
 - (ii) the Ministry of Environment and Energy consider imposing restrictions of any potential discharge of persistent toxic organics, heavy metals, suspended solids and phosphorus into Hamilton Harbour; and,
 - (iii) the Ministry of Environment and Energy consider revisions to the design of the facility to include more naturalized features for both enhanced water quality treatment and aesthetics; and,
 - (iv) all environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy, and that all applicable City By-laws are complied with fully; and,
 - (v) prior to the granting of the certificate of approval, the M.O.E.E. forward a copy of its final decision and conditions respecting the proposed storm water maintenance plan to the City of Hamilton for review; and,
- (b) As per the requirements of the Guide for Applying for Approval of Municipal and Private Water and Sewage Works within the Ontario Water Resources Act, the City of Hamilton, to the satisfaction of the Commissioner of Public Works and Traffic, grant general acceptance, in the form of a signature by the city clerk, on the proposed project application; and,

- (c) That a copy of this report and the municipal authorized application be forwarded to the Proctor and Redfern Limited, representing Philip Environment Inc., for final submission to the Ministry of Environment and Energy; and,
- (d) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Approval for Philip Environmental Inc. to the City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: Alderman Copps. -1.

CARRIED.

- 2. (a) That the existing residential boulevard parking agreement registered as Instrument No. 120631 to the property at No. 51 Earl Street be amended at the property owner's expense; and,

(b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment of this agreement.
- 3. (a) That a "Permit Parking" regulation be implemented on the east side of John Street North commencing at a point 25 feet north of Strachan Street East and extending to a point 33 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Nancy Cowan, No. 342 John Street North.
- 4. That the duration of the parking meters on the west side of London Street South, south of Main Street East, be revised from one hour to two hours and that the City Traffic By-law No. 89-72 be amended accordingly.
- 5. That a "No Parking" regulation be implemented on the west side of Balmoral Avenue North commencing at a point 245 feet south of Barton Street East and extending to a point 140 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

6. That a "No Parking" regulation be implemented on the west side of Sirente Drive commencing 65 feet south of the south curb line of Sirente Drive and extending to a point 34 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
7.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Catharine Street North commencing at a point 166 feet north of Macauley Street East and extending to a point 27 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Herculano Ferraz, No. 488 Catharine Street North.
8.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Clinton Street commencing at a point 27 feet east of Sherman Avenue North and extending to a point 20 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Kenneth Oliphant, No. 202 Sherman Avenue North.
9. That eastbound traffic on Embassy Drive be required to stop for northbound and southbound traffic on Lockheed Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
10.
 - (a) That three-way stop control be implemented at the intersection of Carson Drive and Kingsberry Street; and,
 - (b) That northbound traffic on Palace Boulevard be required to stop for eastbound and westbound traffic on Carson Drive; and,
 - (c) That westbound traffic on Paris Avenue be required to stop for northbound and southbound traffic on Carson Drive; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.

11. That all-way stop control be implemented at the intersection of Central Avenue and Tragina Avenue South and that the City Traffic By-law No. 89-72 be amended accordingly.
12. That three-way stop control be implemented at the intersection of Rupert Court and Rushdale Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That the south curb lane of Limeridge Road East, commencing at Upper Sherman Avenue and extending to a point 50 meters westerly therefrom be designated as a right turn lane, and that the City Traffic By-law No. 89-72 be amended accordingly.
14.
 - (a) That a "No Parking" regulation be implemented on the north and east sides of Butler Drive commencing at a point of 117 east of the east curb line of Butler Drive and extending to a point 55 feet north of the north curb line of Butler Drive; and,
 - (b) That southbound traffic on Amherst Circle be required to stop for eastbound and westbound traffic on Butler Drive; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
15. That the application of the Greek Orthodox Church, owner of No. 235 East 15th Street, to erect and maintain the encroachment of a landing measuring 0.8m x 4.0m and steps measuring 3.35m x 4.0m onto the road allowance of East 15th Street, be approved, subject to the following:
 - (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the applicant pay a first year fee \$252 and a subsequent annual fee of \$20.

16. That the application of St. Mary's Catholic Church to temporarily close Park Street North between Colbourne Street and Mulberry Street and Sheaffe Street between Park Street and the east limit of Sheaffe Street, on the following dates:

Friday, 1997 August 8 from 6:30 o'clock p.m. to 11:00 o'clock p.m.

Saturday, 1997 August 9, from 7:00 o'clock p.m. to 2:00 o'clock a.m.

Sunday, 1997 August 10 from 6:00 o'clock p.m. to 11:00 o'clock p.m.

to hold the Our Lady of the Angels Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (d) That all barricading be supplied by and at the expense of the applicant; and,
- (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic at the expense of the applicant; and,
- (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,

- (i) That the applicant be granted extension to the City of Hamilton Noise By-law No. 79-292 and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the event, at the expense of the applicant; and,
 - (j) That the LLBO be advised that the Council of the Corporation of the City of Hamilton is aware of the Our Lady of the Angels St. Mary's Portuguese Parish Festival being held on 1997 August 8th, 9th and 10th at St. Mary's Green Area, No. 25 Sheaffe Street, and deems this event to be a Community Festival of municipal significance, and as such has no objection to the issuance of a Special Occasion Permit for this event.
17. (a) That the portion of Section 17 of the Sixth Report of the Transport and Environment Committee for 1995 adopted by City Council on 1995 May 9, which refers to the approval of engineering schedules for "Ridgeview Estates - Phase 3", Hamilton, be deleted; and,
- (b) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in
- "ALLISON ESTATES - PHASE 3 ", Hamilton,**
City's Share \$ -NIL-, Owner's Share \$223,828.62.
- "RIDGEVIEW ESTATES - PHASE 3 ", Hamilton,**
(Revised Schedules "E" and "F")
City's Share \$ -NIL-, Owner's Share \$116,374.89; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Allison Estates - Phase 3", Hamilton and "Ridgeview Estates - Phase 3", Hamilton and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,
- (d) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (e) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

18. (a) That the application of J. Dimas, proprietor of Yannis Restaurant, No. 22 Haymarket Street, to establish an Outdoor Boulevard Cafe in front of No. 22 Haymarket Street, measuring 1.52m' x 5.79m and 1.52m x 4.87m onto the Haymarket Street road allowance, be approved, subject to the following conditions:
 - (i) That the applicant enter into a Boulevard Cafe agreement in a form satisfactory to the Commissioner of Transportation and the City Solicitor; and,
 - (ii) That the applicant pay the processing and registration fee of \$1,116 and a first year annual fee of \$400 plus taxes, if applicable; and,
 - (iii) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (iv) That the applicant occupy the licensed area of the boulevard from May 1 to October 31 of each year of the agreement, and that all furniture, equipment, etc. be removed from the road allowance at all other times; and,
 - (v) That the applicant provide access for the physically disabled utilizing the Barrier Free Design Standards adopted by Council on 1994 October 25; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the Boulevard Cafe Agreement.
19. That the application of the Ragin Cajun Restaurant (805715 Ont. Ltd.), located at No. 13 Hess Street South, to close Hess Street between George Street and King Street from 10:30 o'clock a.m. on Friday, 1997 August 15 to 12:00 o'clock noon on Monday, 1997 August 18, to hold the Hess Village "Acoustafest", be approved, subject to the following conditions:
 - (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

- (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,
 - (i) That the applicant be granted extension to the City of Hamilton Noise By-law No. 79-292 and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the event, at the expense of the applicant; and,
 - (j) That the LLBO be advised that the Corporation of the City of Hamilton is aware of the application for a Temporary Extension of Liquor Licence submitted by the Ragin Cajun, No. 13 Hess Street South, in conjunction with the Hess Village "Acoustafest" to take place 1997 August 15, 16, 17 and that the City has no objection to the issuance of a Temporary Extension of Liquor Licence for this event.
20. That three-way stop control be implemented at the intersection of Acadia Drive and Elite Drive and that the City Traffic By-law No. 89-72 be amended accordingly.

21. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.

22. That the application of the Hamilton and District Labour Council to temporarily close the following City streets:

Hunter Street between Park Street and Bay Street

Bay Street between Barton Street and Stuart Street

Stuart Street between Bay Street and MacNab Street

MacNab Street between Stuart Street and Murray Street

Murray Street between MacNab Street and James Street

James Street between Murray Street and Barton Street

on Monday, 1997 September 1, from 9:00 o'clock a.m. to 12:00 o'clock noon, to hold the annual Hamilton Labour Day Parade, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (b) That the applicant provide proof of \$2,000,000 public liability insurance naming the City of Hamilton and the Region as an added insured party, with a provision for cross liability and holding the City of Hamilton and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
23. That all-way stop control be implemented at the intersection of Chesley Street and Chester Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
24. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-49 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (b) A-50 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
25. (a) That a purchase order be issued to LaFarge Construction of Hamilton, Ontario, in the amount of \$462,827.50 plus applicable taxes and contingency for a total of \$559,425.43, for the sidewalk reconstruction, decorative lighting installation, planting bed preparation and irrigation for the redevelopment of the north side of King Street East between James Street and Mary Street, being the lowest acceptable tender received in accordance with specifications RHW-97-45 (HW) issued by the Region's Department of Transportation and vendor's tender; and,
- (b) That this expenditure be financed from Capital Funds Account No. CF5207 609755033; and,

- (c) That the Mayor and City Clerk be authorized to execute the associated contract in a form satisfactory to the City Solicitor. **ADDED.**

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

1997 July 2nd

Appendix "A" as referred to in
Section 21 of the Eighth Report
of the Transport and Environment
Committee for 1997

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/ Annual Fee</u>
Bay Street North	208 Bay Street North	D. & G. Desender S. Heroux & F. Brule	Portion of the building measuring 0.15m x 7.75m Steps measuring 0.15m x .905m	\$184/20
Caroline Street South	215 Caroline Street South	Y. Lewis	Steps measuring 1.2m x 0.7m	\$184/20

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1997 and respectfully recommends:

1. (a) That a one-sided plaque commemorating the historical significance of Robert Land as an early Hamilton settler be approved and erected at one of the following locations yet to be determined:
 - (i) Option 1 - On the property of St. Matthew's House located at the corner of Barton Street East and Leeming Street
 - (ii) Option 2 - Municipal Carpark No. 82 located at 402 Barton Street East; and,
 - (b) That the appropriate plaque wording be forwarded to the Parks and Recreation Committee for information at a future date; and,
 - (c) That the cost of the plaque in the approximate amount of \$2,000 be charged to Account No. CH 55976 71505 (Plaquing Account); and,
 - (d) That in the event that the plaque is erected on the property of St. Matthew's House, listed as Option 1 above, that the City Solicitor be requested to prepare an agreement to have the plaque placed on private property.
-
2. (a) That approval be given to issue a purchase order in the amount of \$71,235.25 inclusive of G.S.T. (\$4,660.25) to commission Black & McDonald Limited, No. 158 South Service Road, Stoney Creek, Ontario for the supply, delivery and installation of refrigeration plant control systems at four arenas, this being the lowest acceptable Form of Proposal received in accordance with the specifications (C15-9-97) issued by the Purchasing Division; and,
 - (b) That the cost for this project be financed from Canada/Ontario Infrastructure Works Projects Energy Management Account No. CF809453014.

3. (a) That approval be given to issue a Purchase Order to Bestco Construction Corp. of Hamilton, Ontario as the General Contractor for the Chedoke Twin Pad Arena Architectural and Mechanical Modifications project which includes: change rooms dehumidification and repair, barrier free design modifications, spectator heating modifications, and explosion relief panel installation, in the amount of \$182,921 plus applicable GST to a total of \$195,725 as the lowest qualified and acceptable of six (6) bids received in accordance with tender documents issued; and,
- (b) That a contract be entered into satisfactory to the City Solicitor; and,
- (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
4. That blanket purchase orders be issued for the supply of food stuffs for City Concession Operations within the Culture and Recreation Department during 1997 and 1998 to the following vendors and be financed through various Concession Operation Accounts:
 - (a) To Harper's Wholesale, Hamilton, Ontario, not to exceed \$85,000 per year
 - (b) To Serca Hickeson, Hamilton, Ontario, not to exceed \$100,000 per year
 - (c) Linc's Wholesale, Hamilton, Ontario, not to exceed \$40,000 per year
 - (d) Golden Horseshoe, Burlington, Ontario, not to exceed \$50,000 per year
 - (e) Spring Creek Meats, Hamilton, Ontario, not to exceed \$20,000 per year
 - (f) Finlay Greenwood, Hamilton, Ontario, not to exceed \$40,000 per year.
5. That approval be granted to the Hamilton Hornet Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on the following dates, by Special Occasion Permits only, and in accordance with the terms and conditions of the Licence Agreement.

July:	12,15,20,26,27
August:	2,9,16,20,23,24,28,29,30,31
September:	6,13,20,27
October:	4,18,25

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Copps, Jackson. -2

CARRIED.

6.
 - (a) That the Director of Culture and Recreation, the Commissioner of Public Works and Traffic and the City Solicitor be authorized to prepare an agreement with Nike Canada Ltd. and the Altamira Foundation to provide an outdoor basketball pad at Carter Park at no cost to the City of Hamilton, said pad to be constructed under the supervision of and to the satisfaction of the Commissioner of Public Works and Traffic, and with a target completion date of 1997 August 8; and,
 - (b) That the Director of Culture and Recreation be authorized to interview and select a local artist(s) to paint a mural illustrating an appropriate sporting scene to be painted on the west wall of the Clairmont access, adjacent to the new basketball court; prepare reports for necessary approvals and report back to the Parks and Recreation Committee at its August meeting.
7.
 - (a) That Hamilton City Council endorse, in principle, partnership with the Six Nations of the Grand River and the New Credit Band Council, as lead sponsors and the City of Brantford in the preparation of a Bid to host the 2002 North American Aboriginal Games; and,
 - (b) That the Director of Culture and Recreation be authorized to provide staff support in the preparation of the Bid and funding to an upset limit of \$5,000 as the City's share in the cost of preparing the Bid, with funding to be provided from the 1997 current budget for the Department; and,
 - (c) That the Regional Municipality of Hamilton-Wentworth be requested to support the Bid on the basis of the significant economic benefits this event will provide to the Region and that matching funding to an upset limit of \$5,000 be provided and that staff from the Department of Economic Development be authorized to provide support to the Bid; and,
 - (d) That the Director of Culture and Recreation report back on the progress of the Bid and with specific reference to financial implications relative to hosting some elements of the Games.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

8. That approval as required by Parks By-law No. 95-126, Section 23 - Aircraft and under the Standard Terms and Conditions of the Special Events Guidelines, be given to CANUSA Games - Hamilton Branch on 1997 August 8 to allow the St. Catharines Parachute Club to make a four man jump into Bernie Arbour Stadium as part of the Opening Ceremonies for the 40th Canusa Games.
9.
 - (a) That a purchase order be issued to LaFarge Construction, Hamilton, Ontario in the amount of \$96,512.93 including all taxes and contingency, for the reconstruction of the parking area at Scott Park, being the lowest of four tenders received in accordance with specifications C-16-24-97 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from the Canada/Ontario Infrastructure Account No. CF5200 809453015 - Parking Lots and Pathways; and,
 - (b) That a purchase order be issued to Arrowhead Paving, Burlington, Ontario in the amount of \$81,099.58 including all taxes and contingency, for the reconstruction of the parking area at Montgomery Park, being the lowest of four tenders received in accordance with specifications C-16-24-97 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from the Canada/Ontario Infrastructure Account No. CF5200 809453015 - Parking Lots and Pathways in the amount of \$31,551.08; the remaining \$49,548.50 will be financed from CF5255 629754024 - Park Development and Redevelopment 1997.
10.
 - (a) That the Chief Administrative Officer be authorized to finalize arrangements with J.J. Barnicke Ltd. for the purpose of facilitating negotiations between the City and CN with the objective of securing certain property for a recreational trail between Bayfront Park and the Desjardins Canal; and,

- (b) That a sub-committee, consisting of Alderman Eisenberger, Alderman Anderson and Alderman Charters, be established to work with the C.A.O. and staff in the co-ordination of all components and issues of the waterfront trail, including, but not limited to the acquisition of required properties, design, development, etc.

Respectfully Submitted,

**ALDERMAN T. ANDERSON, VICE-CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1997 July 3rd

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1997 and respectfully recommends:

1. (a) On the basis of Council's previous decision to approve conversion to condominium for the property located at No. 141 Catharine Street South, that approval be given to Application CD-97-001, under the Rental Housing Protection Act, 1167829 Ontario Limited, owner, for conversion of 57 rental apartment units to condominium units for the property located at 141 Catharine Street South, on the following basis:
 - (i) That the Owner offer, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit, noted in Appendix "A", for a period of not less than five years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "A", upon the following minimum terms:
 - (1) the Offer shall be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent; and,
 - (2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the Rental Housing Protection Act application, immediately following the expiration of the appeal period of the Council approval; and,
 - (3) that leases entered into as a result of (i) and (ii) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (4) that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (5) that such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,

- (6) that the Tenants may terminate the said lease at any time on 60 days written notice, without penalty; and,
- (ii) That the Owner grant to the Tenants named in Appendix "A" an Option to Purchase a Unit specified in Appendix "A", (together with appurtenant interests). Such Option shall allow each tenant at least five years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner; and,
- (iii)
 - (1) That the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - (2) That the notice indicated in section (i) above shall be sent immediately following the expiration of the appeal period of the Council approval; and,
 - (3) That the tenants noted in (i) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the option; and,
- (iv) That this RHPA approval shall cease and be at an end,
 - (1) if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - (2) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "A" and "B" annexed hereto) and

register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,

- (vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
 - (vii) That the Owner provide the City Solicitor and the Director of Planning and Development with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
 - (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
- (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.

2. (a) That approval be given to Subdivision Application 97-02 (Regional File No. 25T-97005), DiCenzo Construction Company Ltd., owner, to establish a draft plan of subdivision "Bishop Ryan School Site", on lands located south of Queenston Road, east of Walter Avenue and west of Parkdale Avenue in the Glenview West Neighbourhood, as shown on the attached map marked as Appendix "C" subject to the following conditions:

- (i) That this approval apply to the plan, prepared by Planning Initiatives Ltd. and certified by W. Bruce Clark, O.L.S. of MacKay, MacKay and Peters Ltd., dated April 7, 1997, showing 40 lots for single detached dwellings and two streets identified as Streets "A" and "B", attached as Appendix "D"; and,
- (ii) That the owner agree in writing with the City that Lots 1, 2, 3, 4, 17, 18, 19, 20, 21, 22, 23, 24, 37, 38, 39 and 40 on the proposed plan be used only for those purposes permitted in a "C" District under the existing City of Hamilton Zoning By-law, as amended from time to time, and that such restriction be registered on title to the said lots to the satisfaction of the City's solicitors; and,

- (iii) That the Owner establish Streets "A" and "B" to their full 20.0m width and that these lands be conveyed to the City of Hamilton prior to registration of the final plan of subdivision; and,
- (iv) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (v) That access to Lots 1, 20, 21 and 40 be located at the south side of the lot; and,
- (vi) That Streets "A" and "B" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (vii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (viii) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (ix) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan; and,
- (x) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xi) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (xii) The owner must satisfy all requirements, financial and otherwise of the City of Hamilton prior to the development of any portion of these lands; and,
- (xiii) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands; and,
- (xiv) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton; and,

- (xv) That the owner authorize the City in writing to rezone, and to post on the property notice to the public of the application to rezone, to "C" (Urban Protected Residential, etc.) District those lands zoned "H" (Community Shopping and Commercial, etc.) District within the proposed plan of subdivision, shown thereon as Lots 1, 2, 3, 18, 19, 20, 21, 22, 23, 38, 39 and 40 and part of Lots 4, 17, 24 and 37, and further agree in writing with the City not to object to such rezoning and to impose a similar restriction on any purchaser of all or part of the property where such purchase is completed prior to the completion of such rezoning.
 - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-97004), DiCenzo Construction Company Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
3. A. That the Jerome Neighbourhood Plan be amended by:
- (a) revising the road pattern to provide for a through street instead of a cul-de-sac; and,
 - (b) redesignating the lands municipally known as No. 191 Stone Church Road East from "Institutional and Recreational" to "Single and Double" Housing;
- for the lands located north of Stone Church Road East, west of Upper Wellington Street, as shown on the attached map marked as Appendix "E".
- B. (a) That approval be given to Subdivision Application 97-01 (Regional File 25T-97-004), Scarlett Homes, Ltd., applicant, to establish a draft plan of subdivision "Wellington Meadows", for lands located west of Upper Wellington Street, on the north side of Stone Church Road East, known municipally as Nos. 117, 123, 131, 139 & 151 Stone Church Road East, comprising of 42 lots for single detached dwellings, three future roads, two blocks for road widenings and one block for a 0.3 m reserve, subject to the following conditions:

- (i) That this approval apply to the plan, prepared by Urbex Engineering Limited Professional Engineers and certified by John P. Nouwens, O.L.S., dated April 8, 1997, as red line revised, showing 42 lots for single detached dwellings, 3 future roads, 2 blocks for road widenings and 1 block for a 0.3 m reserve (see attached Appendix "F"); and,
- (ii) That lots 1 to 15 inclusive not be developed until such time as street access via the east-west portion of the "future street", currently on Lands of the Board of Education, is established and constructed to its full 20 m width from the west limits of Court "A" to the east limits of Street "B"; and,
- (iii) That 0.3 m reserves be established at the east limit of Street "C" and at the east, west and north limits of the adjacent future street on the lands of the Board of Education and be dedicated to the City of Hamilton by deed; and,
- (iv) That any phasing of this development and any temporary works required to accommodate the same, be to the satisfaction of the Regional Environment Department; and,
- (v) That the applicant/owner include 1.0 m boulevards in the typical cross-section for this development, where a municipal sidewalk is required; and,
- (vi) That the final plan conform with the applicable provisions of the "C" (Urban Protected Residential, etc.) District and "R-4" (Small Lot Single Family Dwelling) District in the City of Hamilton Zoning By-law No. 6593; and,
- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the Subdivision in the Final Plan; and,
- (viii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act; and,
- (ix) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton; and,

- (x) That the streets be named to the satisfaction of the City of Hamilton; and,
- (xi) That the streets be dedicated to the City of Hamilton as public highways in the final plan; and,
- (xii) That the owner prepare and submit, to the satisfaction of the City of Hamilton, a municipal street numbering plan; and,
- (xiii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xiv) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - (2) That the Owner provide an inspection report prepared by a qualified professional engineer of all erosion and sediment control measures after each rainfall to the satisfaction of the Senior Director, Roads Department; and,
 - (3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - (4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction; and,
- (xv) That the Owner be required to enter into a modified subdivision agreement with the City of Hamilton prior to development of any portion of these lands; and,

- (xvi) That the Owner provide the Region with documentation to the satisfaction of the Regional Environment Department and Utility Corporations (Hamilton Hydro, Union Gas, Bell Canada and Cable TV) that the standard roadway cross-section, utilities and municipal sidewalks etc., for a 20.0m road allowance, can be installed on both sides of Court "A", proposed at 18.0m width; and,
- (xvii) That the applicant/owner agree in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAR-97-01/25T-97004), "Wellington Meadows", proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
- (d) That approval be given to Amended Zoning Application 97-14, Scarlett Homes Ltd., applicant, for changes in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Dwelling) District for Block "1", from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Dwelling) District for Block "2", and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "3", for lands located at Nos. 117, 123, 131, 139 and 151 Stone Church Road East, to permit development of the subject lands for 24 small lot single-family dwellings and 15 single-family dwellings (3 single-family dwellings under the related subdivision application SAR-97-01 do not require rezoning), as shown on the attached map marked as Appendix "G", on the following basis:
 - (i) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Dwelling) District; and,
 - (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Dwelling) District; and,

- (iii) That Block "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (iv) That the Director of Planning and Development be directed to prepare a by-law, in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,
 - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
4. That the approved Gilkson Neighbourhood Plan be amended by deleting the walkway located between Nos. 37 and 51 Glenvale Avenue.
5. That the City Solicitor be authorized and directed to amend Mobile Sign By-Law 97-026 by deleting the existing requirements of Schedule "B" Permit Fees: and substituting the following:

All permit applications shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash in the amount of:

- (i) thirty five dollars (\$35.00) per two week period for the first 4 weeks;
- (ii) twenty five dollars (\$25.00) per two week period beyond the initial first 4 weeks; and
- (iii) seventy dollars (\$70.00) per two week period for any sign erected prior to issuance of a permit.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Charters, Jackson. -2.

CARRIED.

6. That the Central/Beasley Account Number CF 5000-429102003 be utilized to plant 101 trees abutting Ferguson Avenue between Barton and Cannon Streets, at a total cost of \$37,126 including G.S.T. and P.S.T.

7. (a) That the following prizes be awarded to Mohawk College broadcasting students for their submissions in the Ninth Annual Public Service Announcement competition:

First Prize: Adam Hunter
 Second Prize: Kerry Sue Blanchenot
 Third Prize: Jamie Sparks

- (b) That funds be provided from Phase IV of the Downtown Action Plan for the first prize at \$600, second prize at \$400, and third prize at \$200 and a donation to Mohawk College Media Studies Department of \$1,300 for development of the videos and use of the equipment.

8. (a) That Schedule 'B' of By-law No. 97-010 appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

Gord Culshaw	Culshaw Cakes
John Driscoll	Ottawa Market and Discount Center
John Gut	Textile Centre
Tony Bifano	Anton Video
Greta Munt	Greta's Flair
Rosemary Young	Wentworth Paints
Daniel Kwiatkowski	Beach Road Meats
Toby Yull	Toby's Interior Design
John Bazinet	L. G. Wallace Funeral Home

- (b) That the City Solicitor be authorized and directed to amend By-law No.97-010 pursuant to (a) above.

9. (a) (i) That a secured loan in the amount of sixty-five thousand dollars (\$65,000) to Stanley and Elise Lam, for improvements to 304 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twenty-five thousand dollars (\$25,000) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program; and,

- (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of ten thousand dollars (\$10,000) to Stanley and Elise Lam for improvements to 304 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
- 10. (a) That a secured loan in the amount of seventeen thousand, seven hundred and sixty-three dollars (\$17,763) to Octavio and Mirella Raposo, for improvements to 353 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
- (b) That a grant from the Barton Street Revitalization Fund in the amount of eight thousand, eight hundred and eighty-one dollars (\$8,881) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
- 11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and fifty four dollars (\$1,754) be approved for Josephine Siemaszko, 216 Grenfell Street. The interest rate will be 2 per cent amortized over 5 years.
- 12. (a) That the balance of funds of \$46,227 remaining from the \$120,000 allocated for the Hamilton Rehabilitation Assistance Program (HARP) - Retaining Wall Program for the Green Cedar/Firenze area, be utilized on a first come first served basis, for applications that may arise outside the Green Cedar/Firenze area; and,
- (b) That an increased allocation of funds for the Retaining Wall Program be referred to the Capital Budget Sub-Committee for consideration in the 1998 Capital Budget.
- 13. (a) That the Hamilton Community Heritage Fund Program be amended to reduce the interest rate from half of prime in the first five years; and prime for the second term of five years; to 2% for a single term of ten years; and,

- (b) The City Solicitor be directed to amend By-law 85-120 so as to reflect these changes.
- 14. That the Building Commissioner be authorized to issue a demolition permit for 99 Rymal Road East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 15. That the Building Commissioner be authorized to issue a demolition permit for 75 Tragina Avenue South in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 16. (a) That approval be given to Zoning Application ZAR 97-25, Nicola Clarizio, owner, requesting removal of the 'H' - Holding provision under Section 36 of the Planning Act to permit commercial development, for property located at No. 852 Upper Wentworth Street, as shown on the attached map marked as Appendix "H". The 'H' - Holding provision was placed on the subject lands until such time as the applicant\owner applies for and receives approval of a Site Plan Control application; and,

(b) That the Director of Planning be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 95-111, and Zoning District Map E-18, in a form satisfactory to the City Solicitor, for presentation to City Council.
- 17. That approval be given to Wentworth Construction Planning on behalf of the owner Citslap Industries Plastics Limited, for a further extension of the approval of Site Plan Control Application DA-93-05 to 1998 January 7, for 139-147 Locke Street South, with appropriate agreement registered on title to recognize the extension, and that at the end of this period if a Building Permit has not been issued, the proposed development will be subject to a new Site Plan Control Application.
- 18. (a) That approval be given to Part Lot Control Application 97-01, 456941 Ontario Ltd., owner, to remove part-lot control for Block 19, located in "Eaglewood Manor", to permit the subdivision of Block 19 into 3 lots, as shown on the attached map marked as Appendix "I"; and,

- (b) That the appropriate By-law, to remove part lot control from Block 19, Registered Plan 62M-622, "Eaglewood Manor" plan of subdivision, be enacted by Council; and,
 - (c) That the exempting By-law be restricted to a 1 year effective time period to expire on 1998 July 15; and,
 - (d) That the exempting By-law not be forwarded to Council for adoption until such time as the following conditions have been satisfied:
 - (i) the Owner has paid all outstanding servicing costs to the City of Hamilton and the Regional Municipality of Hamilton-Wentworth to the satisfaction of the Commissioner of the Regional Environment Department prior to the lifting of the 0.30 metre reserve, Block 39, Plan 62M-806; and,
 - (ii) The Owner submit a Lot Grading Plan, prepared by a qualified Professional Consulting Engineer, for the Lots being created and enter into a Lot Grading Agreement with the City of Hamilton prior to the issuance of Building Permits to the satisfaction of the Commissioner of the Building Department; and,
 - (iii) Development of the proposed lots be subject to the roadway connecting Gagliano Drive and Bolzano Drive being established and constructed to its full width; and,
 - (e) That following the enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the By-law and endorse the same on the By-law.
19. (a) That approval be given to application CDM-97-04 (Regional File 25CDM-97005), 712169 Ontario Limited (Gino Malatesta), owner, to establish a draft plan of condominium "Gage Hill", located south of the Red Hill Creek Expressway, on the west side of Upper Gage Avenue and known municipally as 1232 Upper Gage Avenue, as shown on the attached map marked as Appendix "J", subject to the following conditions:
- (i) That this approval apply to the plan prepared by A.J. Clarke and Associates Limited and certified by B.J. Clarke, O.L.S., dated May 8, 1997, showing a total of 7 residential townhouse units, as shown on Appendix "K"; and,

- (ii) That the Final Plan of Condominium be in strict conformity with the Site Plan approved on 1997 May 16, under application DA-97-04; and,
 - (iii) That the applicant enter into a Site Plan agreement with the City, prior to final approval of the Condominium; and,
 - (iv) That the Condominium Corporation be required to enter into and register on title, prior to the sale of any unit, an Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement, to the satisfaction of the City Solicitor; and,
 - (v) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.
 - (b) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.
20. That a Heritage Permit be approved for the construction of a new single-family dwelling at 8/14 Chilton Place in the Durand-Markland Heritage Conservation District (designated under Part V of the Ontario Heritage Act), as shown on the attached drawings marked as Appendix "L" (dated 1997 May 15) and Appendix "M" (dated 1997 May 20).
21. (a) That the applications for grants provided by the Gore Heritage 2000 Program be approved by the CAO; and,
- (b) That the maximum grant per property be established at \$20,000.
22. (a) That approval be given to the Intent to Designate the building known as "Century Manor", located on the Hamilton Psychiatric Hospital grounds at 100 West Fifth Street, as a property of historical and architectural value as outlined in the Reasons for Designation attached hereto and marked as Appendix "N", pursuant to the provisions of the Ontario Heritage Act, 1983; and,
- (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-44 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-laws No. 92-197 and 93-117 Respecting Land Located at Municipal No. 195 Ferguson Avenue North.
- (b) C-45 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located West of Upper Kenilworth Avenue and North of Limeridge Road East.
- (c) C-46 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 661 Upper Wellington Street.
- (d) C-47 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the South-West Corner of King William Street and Wentworth Street North Known Municipally as 488 King William Street and 15 Wentworth Street North.
- (e) C-48 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 488 King William Street and 15 Wentworth Street North.
- (f) C-49 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 93-042 Respecting Lands Located East of Springside Drive, South of Jacqueline Boulevard and West of the Proposed Extension of Upper Wellington Street.
- (g) C-50 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 95-111 Respecting Lands Located at Municipal No. 852 Upper Wentworth Street.
- (h) C-51 A By-law to Establish Site Plan Control Respecting Lands Located at the Rear of Municipal Nos. 1170-1180 Upper James Street.
- (i) C-52 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located North of Stone Church Road West and East of Garth Street at the Easterly Limits of Brigadoon Drive.
- (j) C-53 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 117, 123, 131, 139 and 151 Stone Church Road East.

- (k) C-54 A By-law to Amend By-laws No. 96-019, 97-54 and 97-90 Respecting
The Barton Village Business Improvement Area.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
1997 July 2**

MONTHLY RENTAL CHARGES AS OF MAY 1, 1997141 Catharine Street South

Unit 101	141 Catharine Street South Unit 101 Hamilton, ON L8N 2J7	Unit 201	141 Catharine Street South Unit 201 Hamilton, ON L8N 2J7
	Rent: \$527.46		Rent: \$495.00
Unit 102	141 Catharine Street South Unit 102 Hamilton, ON L8N 2J7	Unit 202	141 Catharine Street South Unit 202 Hamilton, ON L8N 2J7
	Rent: \$495.00		Rent: \$550.00
Unit 103	141 Catharine Street South Unit 103 Hamilton, ON L8N 2J7	Unit 203	141 Catharine Street South Unit 203 Hamilton, ON L8N 2J7
	Rent: \$495.00		Rent: \$525.00
		Unit 204	141 Catharine Street South Unit 204 Hamilton, ON L8N 2J7
			Rent: \$495.00
		Unit 205	141 Catharine Street South Unit 205 Hamilton, ON L8N 2J7
			Rent: \$495.00
		Unit 206	141 Catharine Street South Unit 206 Hamilton, ON L8N 2J7
			Rent: \$495.00

Unit 301 141 Catharine Street South
Unit 301
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 302 141 Catharine Street South
Unit 302
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 303 141 Catharine Street South
Unit 303
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 304 141 Catharine Street South
Unit 304
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 305 141 Catharine Street South
Unit 305
Hamilton, ON
L8N 2J7

Rent: \$550.00

Unit 306 141 Catharine Street South
Unit 306
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 401 141 Catharine Street South
Unit 401
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 402 141 Catharine Street South
Unit 402
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 403 141 Catharine Street South
Unit 403
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 404 141 Catharine Street South
Unit 404
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 405 141 Catharine Street South
Unit 405
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 406 141 Catharine Street South
Unit 406
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 501 141 Catharine Street South
Unit 501
Hamilton, ON
L8N 2J7

Rent: \$465.79

Unit 502 141 Catharine Street South
Unit 502
Hamilton, ON
L8N 2J7

Rent: \$475.00

Unit 503 141 Catharine Street South
Unit 503
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 504 141 Catharine Street South
Unit 504
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 505 141 Catharine Street South
Unit 505
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 506 141 Catharine Street South
Unit 506
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 601 141 Catharine Street South
Unit 601
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 602 141 Catharine Street South
Unit 602
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 603 141 Catharine Street South
Unit 603
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 604 141 Catharine Street South
Unit 604
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 605 141 Catharine Street South
Unit 605
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 606 141 Catharine Street South
Unit 606
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 701 141 Catharine Street South
Unit 701
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 702 141 Catharine Street South
Unit 702
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 703 141 Catharine Street South
Unit 703
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 704 141 Catharine Street South
Unit 704
Hamilton, ON
L8N 2J7

Rent: \$465.79

Unit 705 141 Catharine Street South
Unit 705
Hamilton, ON
L8N 2J7

Rent: \$550.00

Unit 706 141 Catharine Street South
Unit 706
Hamilton, ON
L8N 2J7

Rent: \$425.00

Unit 801 141 Catharine Street South
Unit 801
Hamilton, ON
L8N 2J7

Rent: \$455.78

Unit 802 141 Catharine Street South
Unit 802
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 803 141 Catharine Street South
Unit 803
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 804 141 Catharine Street South
Unit 804
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 805 141 Catharine Street South
Unit 805
Hamilton, ON
L8N 2J7

Rent: \$550.00

Unit 806 141 Catharine Street South
Unit 806
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 901 141 Catharine Street South
Unit 901
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 902 141 Catharine Street South
Unit 902
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 903 141 Catharine Street South
Unit 903
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 904 141 Catharine Street South
Unit 904
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 905 141 Catharine Street South
Unit 905
Hamilton, ON
L8N 2J7

Rent: \$450.00

Unit 906 141 Catharine Street South
Unit 906
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 1001 141 Catharine Street South
Unit 1001
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 1002 141 Catharine Street South
Unit 1002
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 1003 141 Catharine Street South
Unit 1003
Hamilton, ON
L8N 2J7

Rent: \$495.00

Unit 1004 141 Catharine Street South
Unit 1004
Hamilton, ON
L8N 2J7

Rent: \$525.00

Unit 1005 141 Catharine Street South
Unit 1005
Hamilton, ON
L8N 2J7

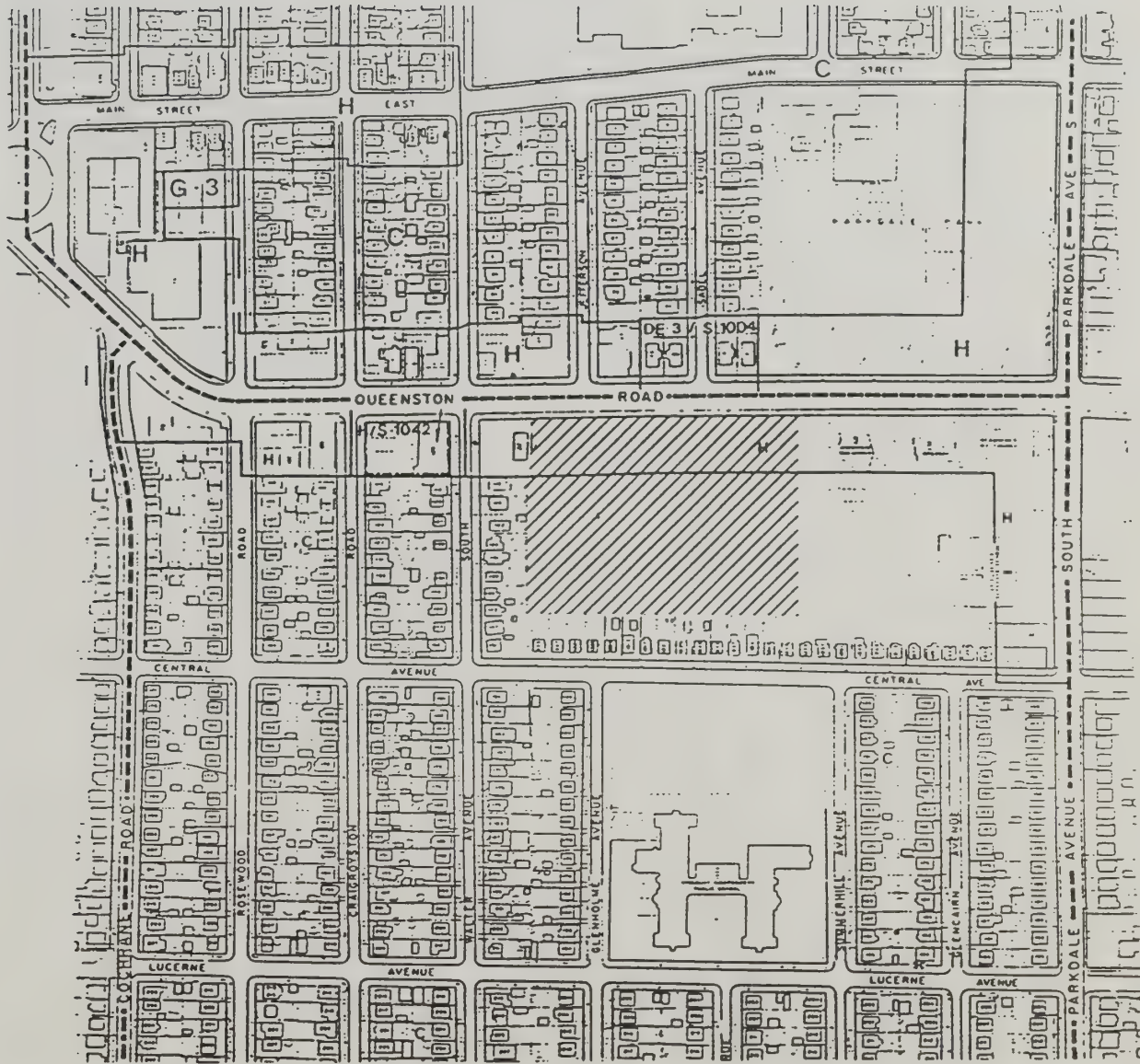
Rent: \$450.00

Unit 1006 141 Catharine Street South
Unit 1006
Hamilton, ON
L8N 2J7

Rent: \$495.00

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.



Legend



Site of the Application

Reference File No.

SAC-97-02

Drawn By

Date

R.L.

June 1997

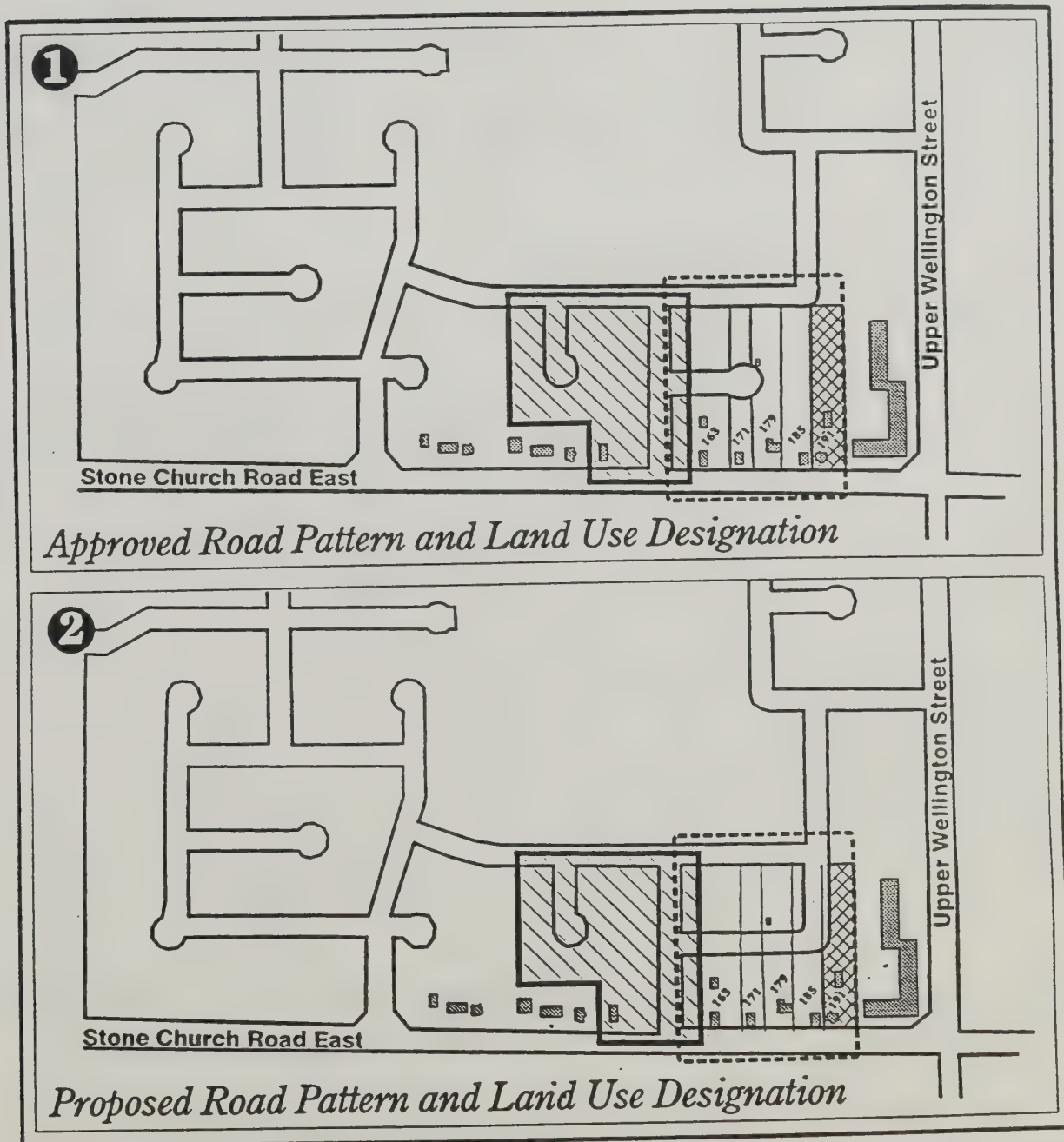
Scale

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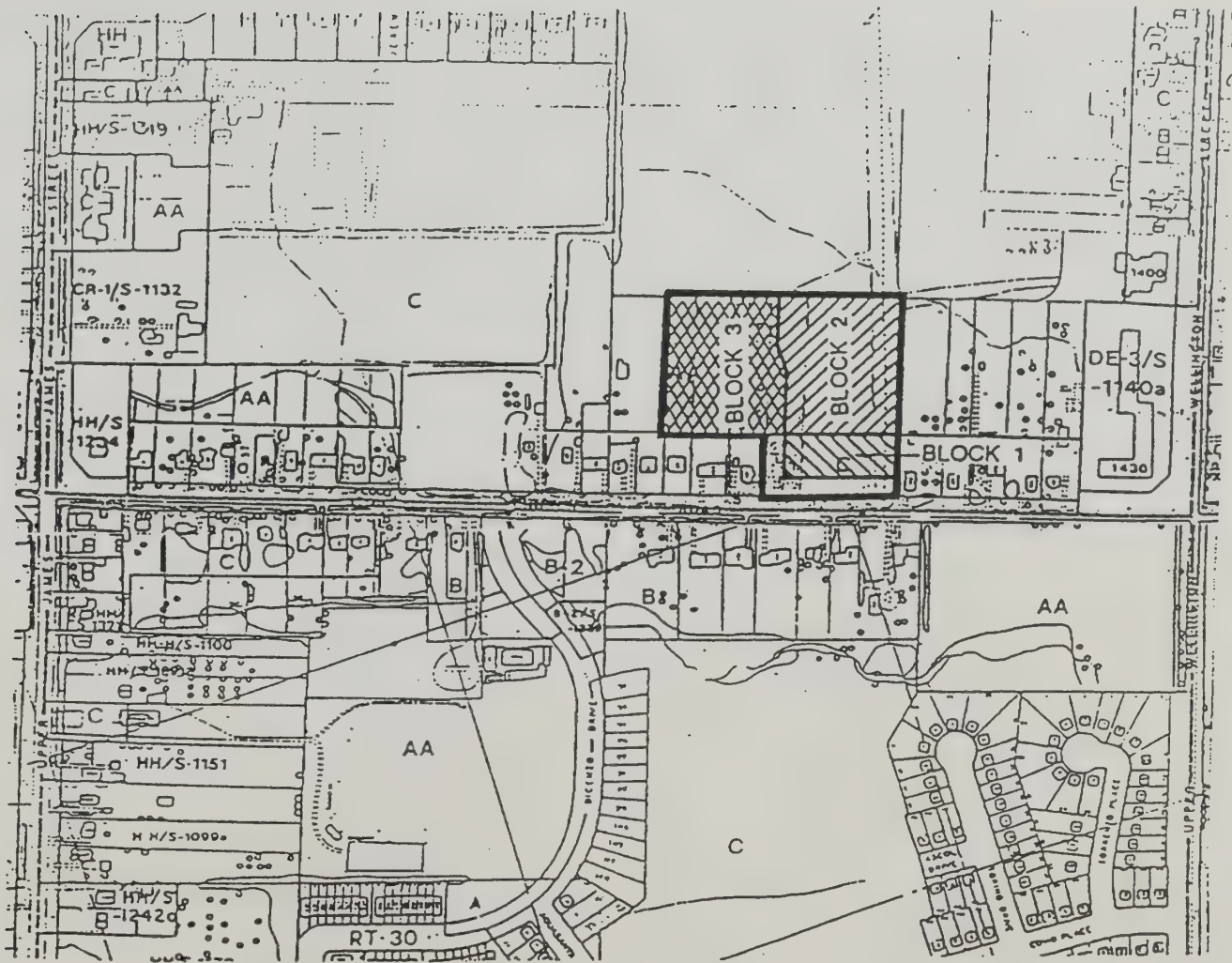
722



-  proposed plan of subdivision for single family dwellings
-  portion of Jerome neighbourhood affected by the amendment
-  change the designation from "Institutional and Recreational" to "Single and Double" Housing


P5-2-82





Legend

Proposed change in zoning:

- Block 1  From "C" (Urban Protected Residential) District, to "R-4" (Small Lot Single Family Dwelling) District.
- Block 2  From "AA" (Agricultural) District, to "R-4" (Small Lot Single Family Dwelling) District.
- Block 3  From "AA" (Agricultural) District, to "C" (Urban Protected Residential, etc) District.
-  Subject Lands

Reference File No.
ZAC-97-14
SAR-97-01

Drawn By

Date

S.H.

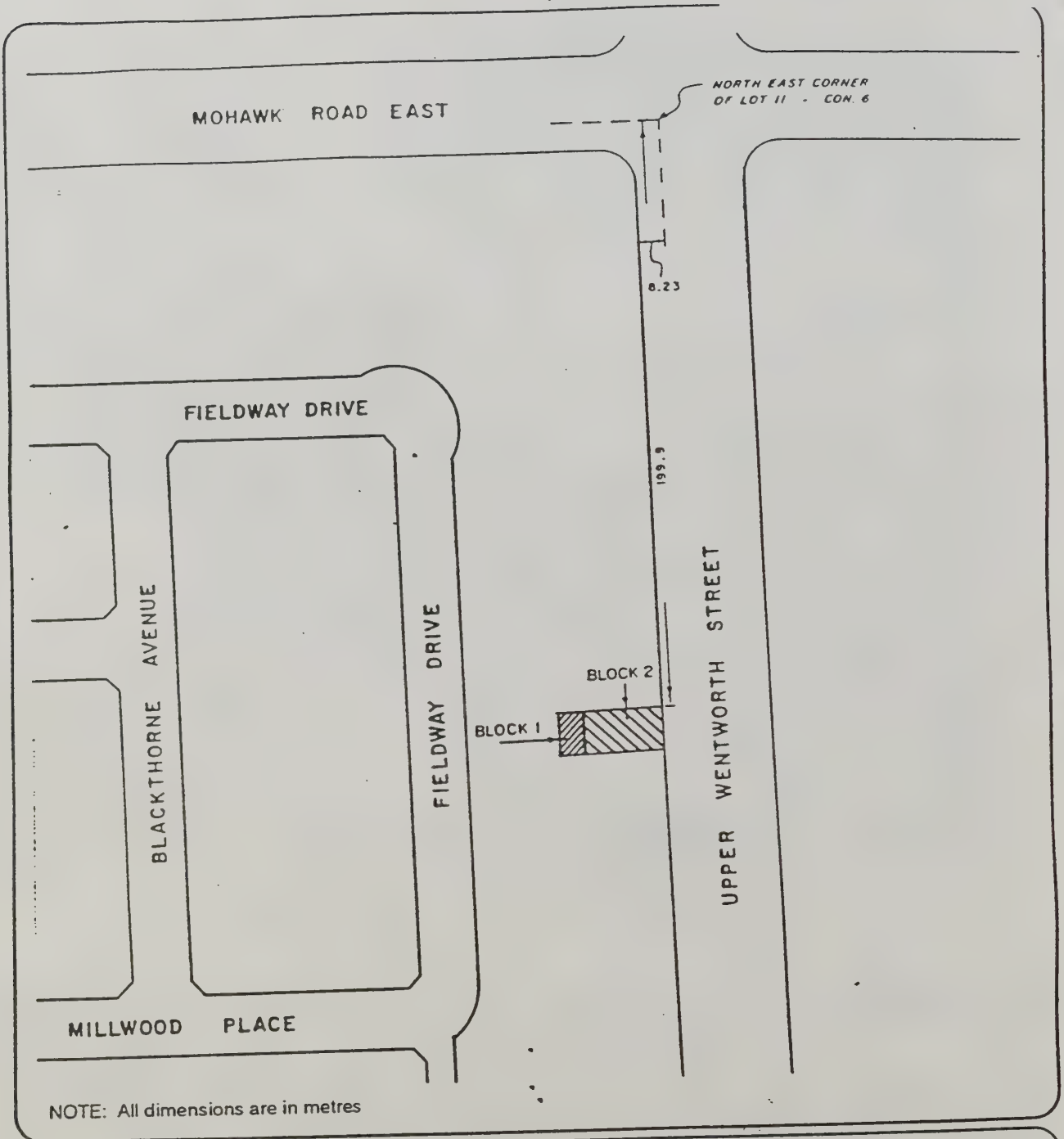
May 1997

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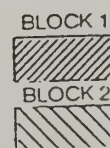


City of Hamilton

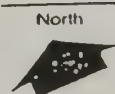
to By-Law No. 97-.....

Planning and Development Department

Legend



Lands to be regulated by
By-law No. 97

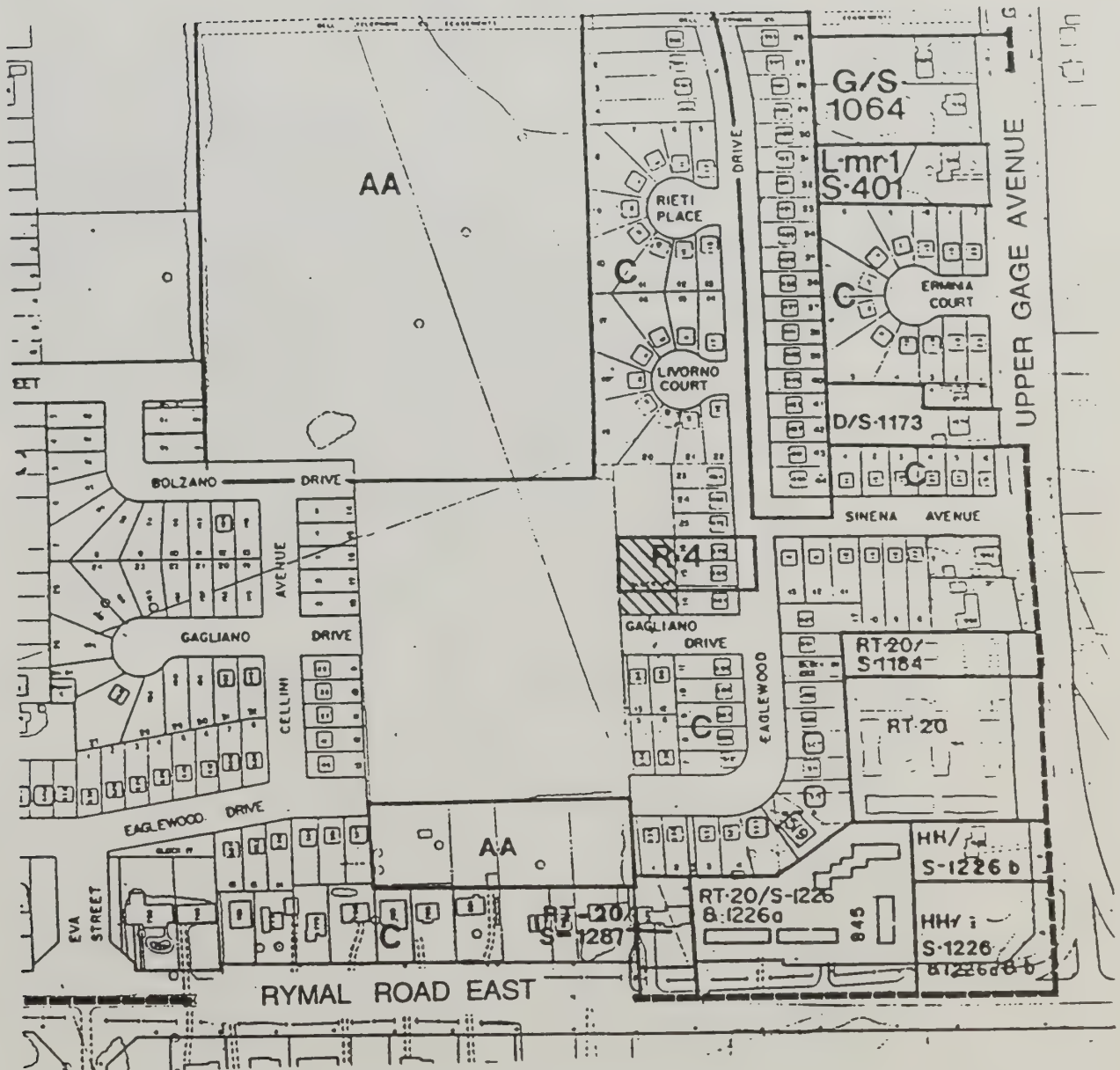


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Date
JUNE 97

Reference File No
ZAR-97-25

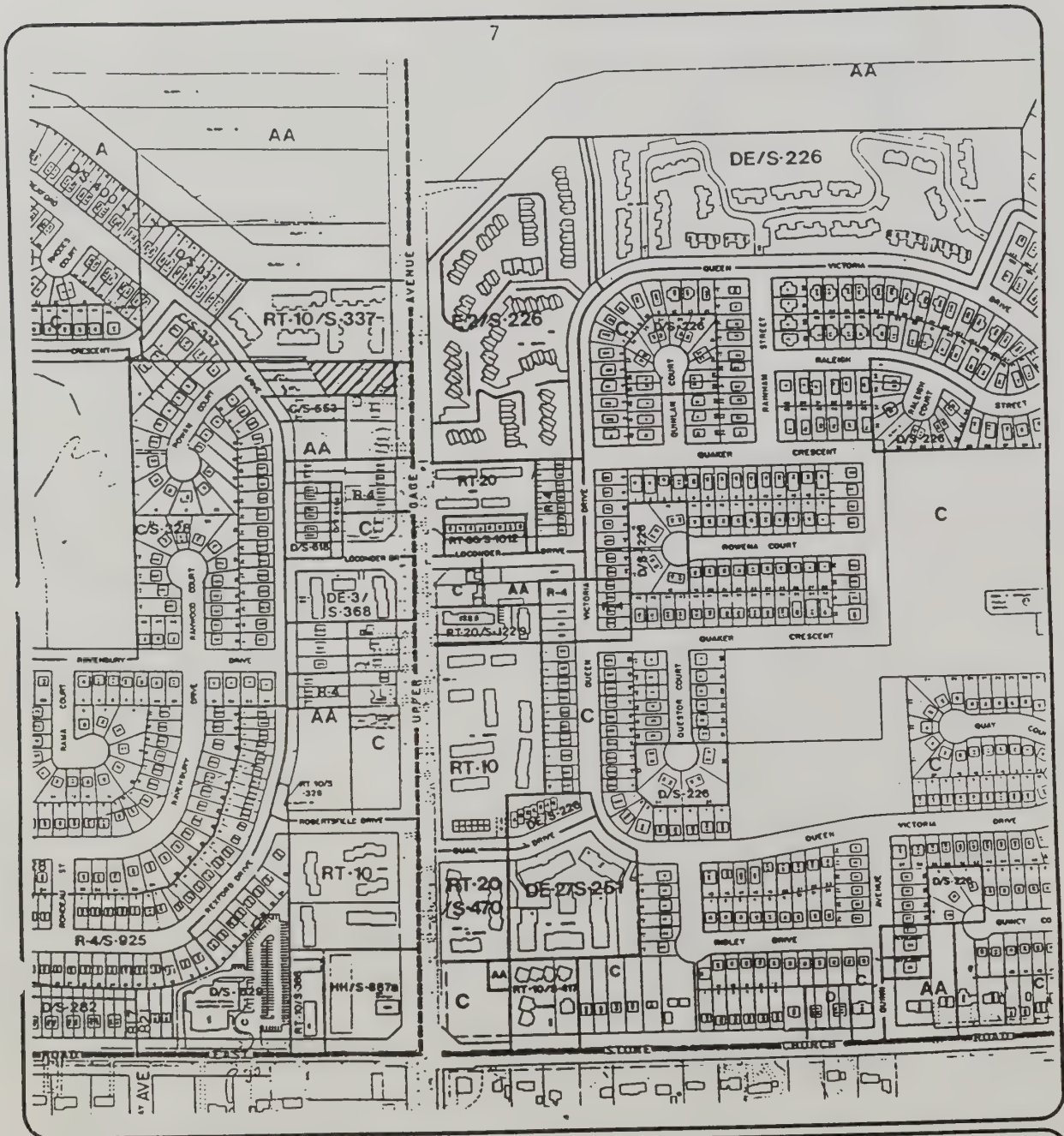
Drawn By
R.L.



Legend



Site of the Application



City of Hamilton

APPLICATION CDM-97-04

Planning and Development Department

Legend



Site of the Application

North



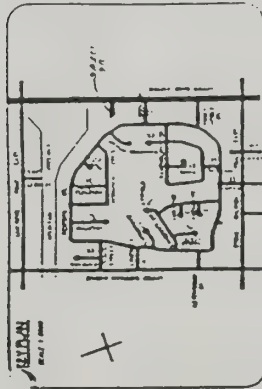
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Date
JANUARY 1997

Reference File No
CDM-97-04

Drawn By
F.A.

6



**DRAFT PLAN OF
"GAGE HILL"**
BEING A DRAFT CONVEYANCE OF
PART OF LOT 7 - CONVEYANCE
GEOGRAPHIC TOWNSHIP OF BARTON
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE: 1" = 100'
B. J. CLARK C.E.S.
1997

NOTE: THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE PURPOSES FOR WHICH IT WAS PREPARED. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

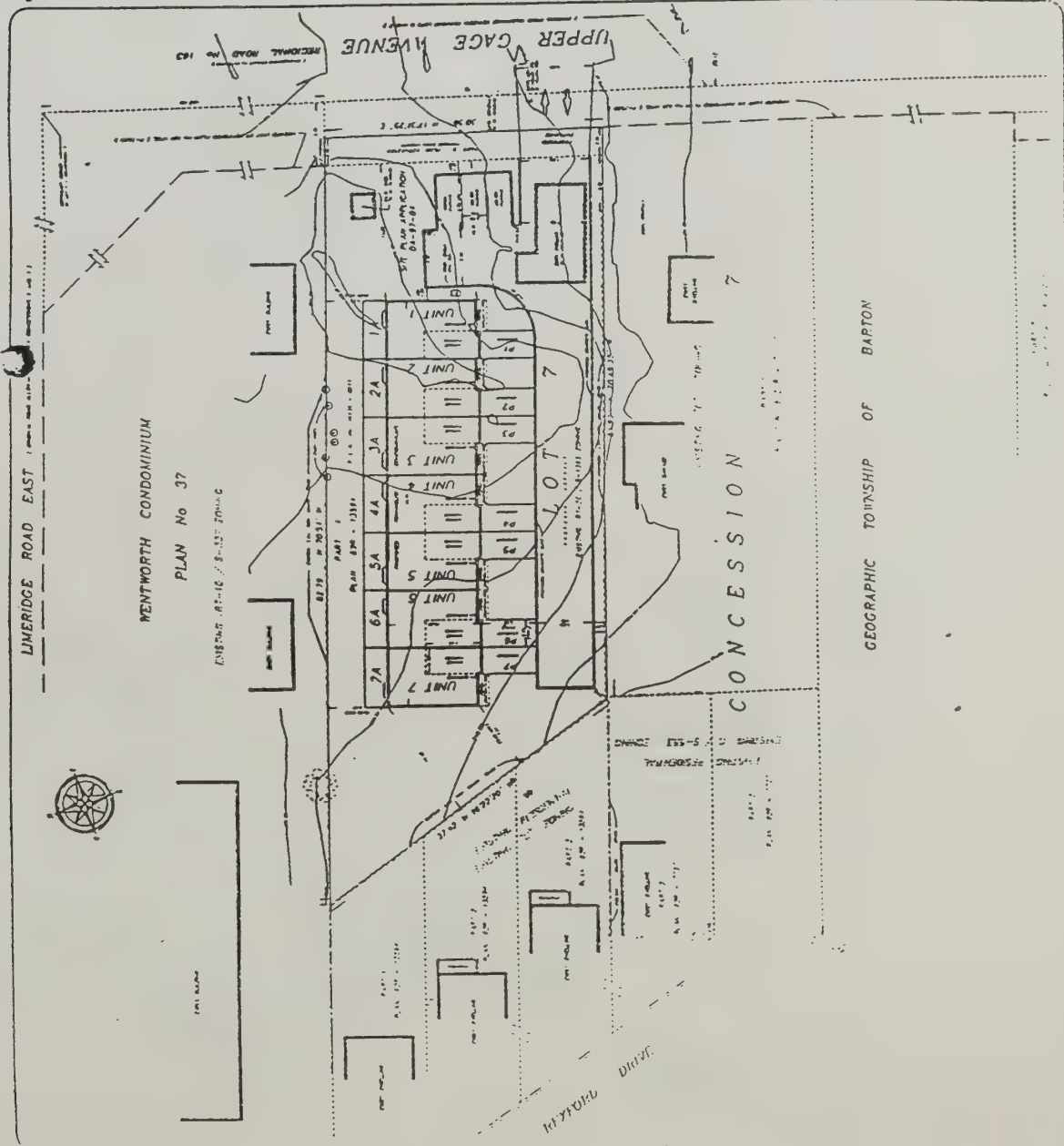
PROPERTY CERTIFICATE
THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE PURPOSES FOR WHICH IT WAS PREPARED. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

DRAFT AUTHORIZATION
THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE PURPOSES FOR WHICH IT WAS PREPARED. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

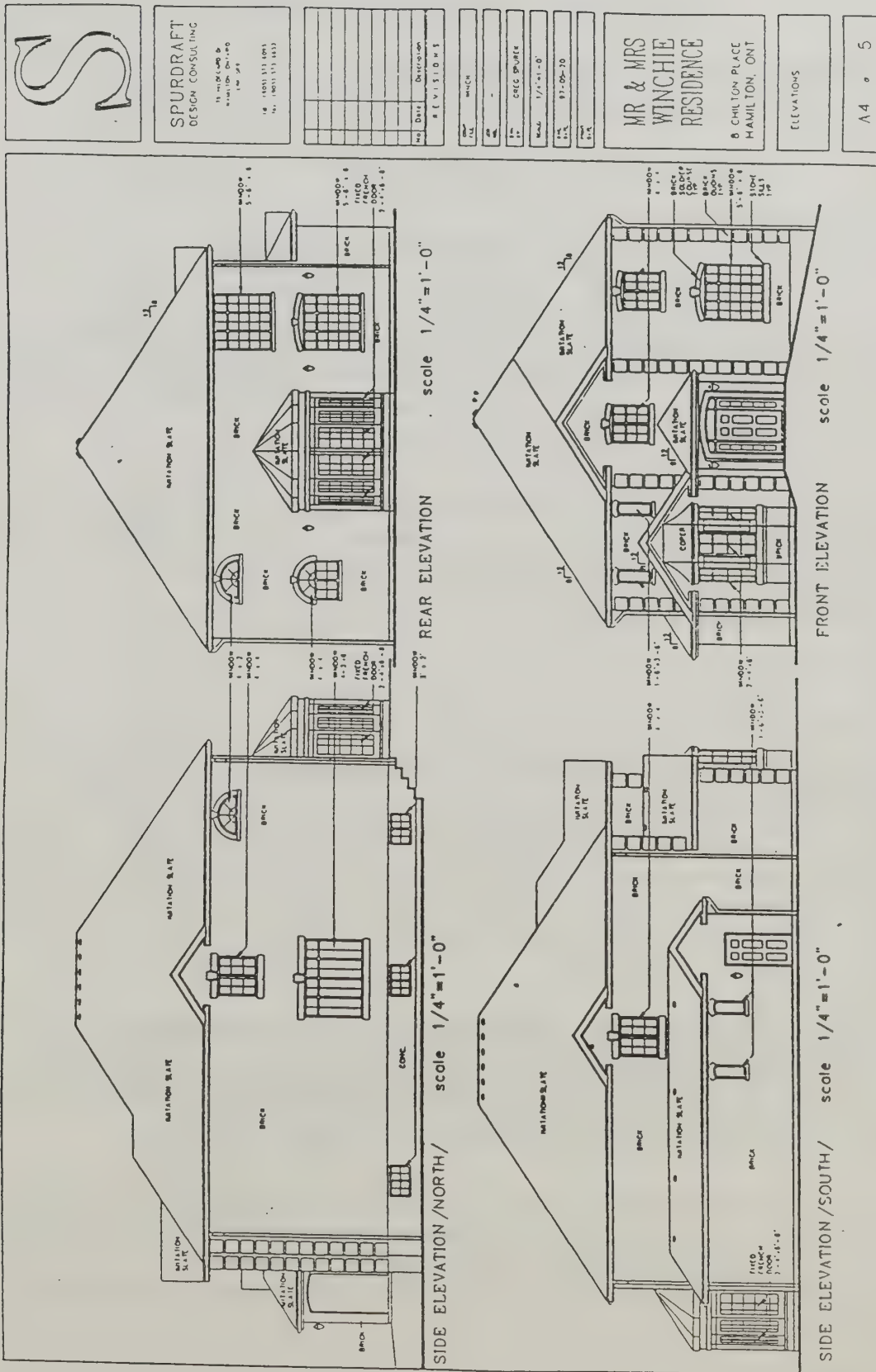
LARGE SCALE SURVEY
THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE PURPOSES FOR WHICH IT WAS PREPARED. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

CONVEYANCE DRAFT APPROPRIATE
THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE PURPOSES FOR WHICH IT WAS PREPARED. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Attest:
B. J. Clark and Associates Ltd.
1997







REASONS FOR DESIGNATION

CENTURY MANOR (originally East House)

Hamilton Psychiatric Hospital
100 West 5th Street

Context

The large High Victorian building, located on the grounds of the Hamilton Psychiatric Hospital and now known as Century Manor, was erected in 1884 as the second building built for the Hamilton Asylum for the Insane, a rapidly expanding complex of provincially-owned buildings devoted to the care and treatment of the mentally ill.

Century Manor is the focal point of a cluster of auxiliary buildings situated on the western half of the hospital property, where the main complex of asylum buildings was located until the early 20th century. Of the 19th century buildings located on the present hospital grounds, Century Manor is by far the largest and architecturally most distinguished (vacant since 1995).

History

Officially opened in March 1876 for the treatment of individuals suffering from mental illness, the Hamilton Asylum for the Insane was the sixth "insane asylum" in Ontario, following those opened in Toronto (1841), Kingston (1850), Amherstburg (1859), Orillia (1861), and London (1870). The emergence of these institutions reflected the 19th century trend for government to provide special care facilities for the mentally ill. Typically, the Hamilton asylum was planned and developed as a largely self-sufficient community. Much of the labour for maintaining the grounds, growing and harvesting crops, and new construction was provided by the patients.

By 1878, further expansion was based on the "cottage system", whereby patients were housed in separate smaller buildings providing a more home-like atmosphere. The first so-called "cottage", East House (since renamed Century Manor), was designed to house 60 patients; the second and much larger Orchard House (built 1887, since demolished) could hold up to 300.

The function of East House evolved to meet the hospital's changing needs. Initially intended for the reception and treatment of acute cases of mental illness, the building was subsequently adapted for the care and safekeeping of "criminally insane" patients, a use which it served until 1921. From that time on, East House/ Century Manor accommodated regular patients and/or various treatment facilities.

including the Mental Health Clinic (1929-1960), a therapeutic centre for adolescents (1968-74), a Forensic Unit (1972-78), and most recently, a day program for chronic psychiatric patients (1981-95).

Architecture

Century Manor is a rare surviving example of a special-purpose building designed to house mentally ill patients, originally referred to as a "cottage". Its design was based on the Kirkbride Linear Plan, the 19th century American prototype for new purpose-built asylum facilities, which was adopted as the standard for Ontario asylums. Century Manor is the only surviving building of its kind in Hamilton and one of few still standing in the province.

Century Manor also ranks among the finest High Victorian institutional buildings remaining in Hamilton. This large, imposing brick building, with a symmetrical facade, comprises four visually distinct yet stylistically unified components: a three-storey square centre block with flanking two-storey wings and a rear kitchen wing added in 1895. The elaborate centre block features a low-pitched hip roof with a pedimented gable over the projecting frontispiece, eaves embellished with modillions and paired brackets (terminating the corner piers), and paired windows above the entrance with round or segmental arches and prominent keystones. Punctuating the long facade of each wing is an octagonal bay with single eave brackets marking the four corners; the end of each wing is terminated by a square gabled bay echoing the design of the frontispiece. The architectural detailing of the centre block and wings is very similar, with sills and string courses made of stone and contrasting yellow brick used to accentuate the segmentally-arched window lintels, corner piers and quoins (lintels now painted white). The existing raised portico, though not original, still enhances the front entrance, with its coupled wood columns rising from cut stone plinths. The once impressive doorway with ornate glazed double doors, narrow sidelights and transom light has been replaced.

Designated Features

Important to the preservation of Century Manor are the original features of all four facades, including the window openings, sills and lintels; the decorative brickwork; the stone sills and string courses; the brick chimneys; the decorative wood eave brackets and modillions; and the entrance portico. Excluded on the front facade is the existing central doorway and two fire exit doorways in the gabled bays terminating each wing.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to amended Zoning Application ZAC-96-11, Alfrin Enterprises Corporation (Al Frisina), owner, requesting a further modification to the established "C" (Urban Protected Residential, etc.) District for lands located at 73 Garfield Avenue South, to permit the conversion of the existing building to a senior citizens facility for 36 residents, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That By-law No. 94-027 be repealed in its entirety; and,
 - (ii) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) notwithstanding Section 9.(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (a) a senior citizens facility containing a maximum of 36 "housekeeping dwellings units" for the accommodation of not more than thirty-six residents within the building existing at the time of the passing of the by-law; and,
 - (b) not more than 2 residents shall be accommodated in a housekeeping dwelling unit; and,
 - (c) lounges, common spaces, kitchen facilities, a dining room in conjunction with a senior citizens facility;
 - (2) for the purposes of the By-law, a senior citizens facility means a facility within which all residents are at least 60 years of age or older; and,

- (3) notwithstanding Section 9.(2) of Zoning By-law No. 6593, no building shall exceed 5 storeys and 12 m in height; and,
 - (4) notwithstanding Table 1 of Section 18A. of Zoning By-law No. 6593, not less than 13 parking spaces shall be provided and maintained; and,
 - (5) notwithstanding Section 18A(7) of Zoning By-law No. 6593, eleven of the required parking spaces shall have dimensions of not less than 2.5m by 5.7m; and,
 - (6) notwithstanding Section 18A(8) of Zoning By-law No. 6593, the two parallel parking spaces shall have a length of not less than 6.3 m; and,
 - (7) notwithstanding Section 18A(9) of Zoning By-law No. 6593, part of the manouvering area for the two parallel parking spaces shall be provided off-site; and,
 - (8) Sections 18A(1)(c), 18A(11)(a), 18A(12)(a) and 18A(25) of Zoning By-law No. 6593 shall not apply; and,
 - (9) notwithstanding Section 18A(12)(c) of Zoning By-law No. 6593, a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly lot line except that no visual barrier shall be situate less than 3.0 m in distance from the front lot line; and,
 - (10) notwithstanding Section 18A(24)(b)(i) of By-law No. 6593, the existing unassumed alleyway located to the rear of the lands shall provide the required access for the required parking area located on site; and,
 - (11) a landscaped area not less than 105.0 m² shall be provided and maintained in the front yard; and,
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1376, and that the subject lands on Zoning District Map E-33 be notated S - 1376; and,
 - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-33 for presentation to City Council; and,

- (v) That upon finalization of the Zoning By-law that the approved Stipeley Neighbourhood Plan be amended to redesignate the subject lands from "Single and Double" Residential to "Medium Density Apartments"; and,
 - (vi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
2. Regarding archaeological resource aspects of a 1.275 acre portion of the Allison Neighbourhood Park (which portion was dedicated to the City by 200 Rymal Road Inc. (A. DiSilvestro) as a condition of subdivision approval of Allison Estates),
- (a) that the City's Subdivision Agreement for Allison Estates Phase Four between 200 Rymal Road Inc. (A. DiSilvestro) and the City provide,
 - (i) that the subdivider shall deposit security with the City in the amount of \$20,000. for the estimated cost of a cultural heritage resource assessment of the park site for the existing unexcavated archaeological resource identified at that location and for the full cost of removal and remedial works to the satisfaction of the Regulatory Operations Group of the Ministry of Culture, Tourism and Recreation and the City Engineer; and,
 - (ii) that the Subdivision Agreement for Allison Estates Phase Four authorize the City to draw upon any other securities posted under that Subdivision Agreement in the event the security posted in item (i) above is insufficient, in the City's sole discretion; and,
 - (b) that upon the complete execution of the Subdivision Agreement for Allison Estates Phase Four, the City Clerk be authorized to inform the Ministry of Culture, Tourism and Recreation on behalf of the City that the park site in the Allison Neighbourhood will not be developed until a cultural heritage resource assessment of the park site for existing unexcavated archaeological resources is first carried out.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1997 July 8**



ZAC-96-11

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1997 and respectfully recommends:

1. (a) That the City of Hamilton enter into a Lease Agreement with Lafarge Canada Inc., respecting the use of the City owned building at 87-89 King Street East for use as a Site Office; and,
 - (b) That the Lease Agreement contain the following terms and conditions:
 - (i) Term: Commencing 1997 June 16 and terminating 1997 August 15;
 - (ii) Area: 2,400 square feet;
 - (iii) Rental Rate: \$400 per month (\$2 per square foot) plus any applicable taxes, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented);
 - (iv) Termination: That either party may terminate the Lease Agreement by giving thirty (30) days written notice;
 - (c) That in the event the downtown improvement construction contract extends past the 1997 August 15 completion date, this Lease Agreement be extended on a month to month basis; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreement in a form satisfactory to the City Solicitor.
2. (a) That the Manager of Real Estate Division, City Clerk's Office be authorized to negotiate the purchase of the property at 555 Kenilworth Avenue North based on compassionate grounds, condition of the building and location, and on the understanding that the owner wishes to relocate; and,

- (b) That the City Treasurer be authorized to open a new Capital Project Account in relation to the acquisition and demolition of 555 Kenilworth Avenue North at an estimated cost not to exceed \$77,000 and that this project be financed from the Reserve for Alpha Enclaves, Account Centre No. CH 00116.
- 3. (a) That the City be authorized to make a full and final offer to settle, for acceptance on or before 1997 July 29, of a business loss claim arising out of the York Street Road Widening for 337 York Street with Ada Maude Jean Salvage in the amount of \$160,673.87 including business loss, moving costs, relocation costs, professional fees, and all other interests; and,
 - (b) That the final compensation be charged to the Account Centre, Account Number 00102; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
- 4. (a) That the City resolve Ontario Court (General Division) Action No. 13835/96 by the payment to the Plaintiff, Halifax Insurance Company, of the sum of \$7,500 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a full and final release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 13835/95 be dismissed without costs.
- 5. That the Mayor, Chairman of the Finance and Administration Committee and five Aldermen be authorized to attend the 1997 Annual Conference of the Association of Municipalities of Ontario being held 1997 August 24 to 27 in Toronto.
- 6. That a purchase order be issued to Alternate Solutions, Hamilton, in the amount of \$108,050 plus all applicable taxes, for the replacement of the computerized fuel control system, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender and be financed through the 1997 Capital Account CF 649751022.

7. That staff be authorized to enter into discussions with Eaton's and/or Yale Properties with respect to provision of pedestrian access from the Hamilton Farmers' Market/Lloyd D. Jackson Square to the Eaton's store.
8. (a) That approval be given to issue a purchase order to CSDC Systems, Mississauga, Ontario in the amount of \$75,000 for the supply and installation of an Integrated Management and Tracking System, for the Licence Division, City Clerk's Department, notwithstanding the City's Purchasing Policy; and,
(b) That the Mayor and the City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.
9. That the City Treasurer present the City's Financial Shared Services Proposal to the Region of Hamilton-Wentworth.
10. (a) That, in accordance with the policy approved by City Council on 1996 October 29, for properties vested with the City on tax sale, the tax arrears applicable to the following properties be written off as uncollectible:

(i)	625 Greenhill Avenue	\$ 656,891.22
(ii)	477 King Street East	215,286.84
(iii)	30 Linden Street	58,287.97
(iv)	000 Broughton Avenue (Vacant Land)	35,961.96
(v)	000 Broughton Avenue (Vacant Land)	8,455.63

(b) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102; and,
(c) That the Region and the Board of Education's share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.
11. That as approved and requested by the Committee of the Whole at its meeting held 1997 June 11th, the funding for the cost to re-instate two supervised crossing locations during summer months estimated at \$5,210 be financed as an approved overdraft within the Public Works and Traffic Department, Traffic Division Centre No. CH 75041.

12. That as referred to in Section 8 of the Sixth Report for 1997 of the Parks and Recreation Committee, and approved by City Council at its meeting held 1997 June 24th the following financing for the implementation of the Hamilton Beach Neighbourhood Plan be approved. **AMENDED.**
 - (a) That the gross cost of land acquisition for the implementation of the Hamilton Beach Neighbourhood Plan in the amount of \$1,944,000 be included as a part of the 1997 Capital Budget process and that the City's net cost in the amount of \$1,069,000 (gross cost of \$1,944,000 less \$875,000 recoverable from the Hamilton Region Conservation Authority) be financed from the Reserve for Property Purchases, Account Centre No. CH00102; and, **AMENDED.**
 - (b) That the City Treasurer be authorized to reimburse the above Reserve from the proceeds of the sale of properties in relation to the Hamilton Beach Neighbourhood Plan.
 - (c) That, if the Province does not agree with the agreement by December 31, 1997, the funding will be reconsidered in the 1998 budget. **ADDED.**
13. (a) That the City of Hamilton Law Department Staff be directed to work with the Hamilton-Wentworth Police Department to draft a by-law for the City of Hamilton regarding Loitering, Panhandling, and other issues in the Downtown Core based on the results of the Police survey presently being conducted in the Downtown Core, and;
 - (b) That a report and the By-law be brought back to a special meeting of the Finance and Administration Committee in three weeks. **REPLACED.**
14. That H.E.C.F.I. access capital funds available within its Reserve fund for Capital Projects, Account Number CH 00206, to finance the cost for replacement of the Arena Dasherboard System at Copps Coliseum at a cost not to exceed \$150,000.
15. (a) That the City of Hamilton provide up to \$20,000 for the celebration of Country Music Week '97 being held in Hamilton; and,
 - (b) That this expenditure be funded with an approved overdraft of Account No. CH 55314 84010 - Special Civic Receptions and Delegation Hostings.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

16. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the application made by the Sheraton Hamilton Hotel for a Temporary Extension of Liquor Licence for Saturday, 1997 July 12th to host a reception on the rooftop of Lloyd D. Jackson Square during the Canadian Society of Association Executives Annual Convention and have no objection to the issuance of this Licence.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Wilson. -1.

CARRIED.

17. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

(a) D-44 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 July 3**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1997 and respectfully recommends:

1. (a) That an Offer to Purchase Agreement, duly executed by 700-042 Ontario Inc., (Darko Vranich) on 1997 June 5 and scheduled to close on or before 1997 August 15, for the lands municipally described as 16 Magill Street, being Lot 19 and part of Lot 20, Registered Plan 251, designated as Part 2 on Plan 62R-6455, Hamilton, having a frontage of 23.11 metres (75.83 feet) more or less, and a depth of 33.82 metres (110.99 feet) more or less along the west side of Magill Street, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$55,000 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That the required deposit cheque in the amount of \$10,000 be held by the City Treasurer pending Council approval; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (d) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale;
 - (ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 17th day of June 1997;
 - (iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

2. (a) (i) That 625-635 Greenhill Avenue be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
- (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,
- (b) (i) That an Offer to Purchase Agreement, duly executed by 1179255 Ontario Limited (Andrew Karanayannopoulos) on 1997 July 4 and scheduled to close on or before 1997 September 15, for the lands municipally described as 625-635 Greenhill Avenue, being Parcel 71-6, Section M-3, described as Part 2, Plan WHR-89, containing 2.17 acres, more or less, with a commercial plaza building of approximately 23,500 square feet, situate on the north side of Greenhill Avenue and the east side of Quigley Road, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$475,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
- (ii) That the required deposit cheque in the amount of \$47,500 be held by the City Treasurer pending Council approval; and,
- (iii) That upon successful completion of this sale, a real estate commission of 6% on the first \$250,000 and 5% on the remaining \$225,000 of the sale price be paid to Blair Blanchard Stapleton Limited (Sales Representative Robert Miles), who acted in this matter; and,
- (iv) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (v) That the Offer be approved subject to clauses which state:
 - (1) that the Purchaser acknowledges and agrees there are no warranties and/or representations by the Vendor (City) whatsoever and the property be purchased on an "as is" basis; and,
 - (2) that the Purchaser has relied upon his own investigation with respect to the quantity, value and title to the property; and,

- (3) that all existing leases are month-to-month tenancies, because the Tax Sale process has extinguished all prior leases; and,
- (4) that the Purchaser acknowledges that various components of the property are in need of replacement and/or repair (roof cover, HVAC units, lighting, paving, etc.); and,
- (vi) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) an appraisal of the fair market value of the real property intended to be sold was obtained; and,
 - (3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Tina Agnello, Acting Secretary
1997 July 8**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. That Mr. Brian Hinkley be appointed as the City's appointee to the Hamilton Harbour Commissioners for a three year term from 1997 September 1 to 2000 September 1.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1997 July 8

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1997

1997 July 17

Meeting of Committee of the Whole/City Council
Thursday, 1997 July 17
2:00 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Acting Mayor Wilson
Aldermen Kiss, Caplan, Agro, Drury, Copps, Eisenberger, Collins, Charters,
Jackson, Merling, D'Amico.

Absent: Mayor R. M. Morrow - vacation
Alderman W. McCulloch - civic business
Alderman B. Morelli - regional business
Alderman T. Anderson - other commitment
Alderman D. Ross - vacation

URBAN MUNICIPAL

JUL 23 1997

GOVERNMENT DOCUMENTS

Acting Mayor Wilson called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be considered in Committee of the Whole with Acting Mayor Wilson in the chair.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, Drury, Copps,
Eisenberger, Collins, Charters, Jackson, Merling, D'Amico. -12.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - NINTH REPORT

Plastimet Fire - 363 Wellington St. N. (Usarco Property)

It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, Drury, Copps, Eisenberger, Collins, Charters, Jackson, Merling, D'Amico. -12.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 3:45 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR D. WILSON

J. J. Schatz
1997 July 17
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **NINTH** Report for 1997 and respectfully recommends:

1. That staff initiate a detailed investigation and prepare a written report with respect to all aspects of Plastimet operating at 363 Wellington St. N. (Usarco Property).
2. That the Province of Ontario be requested to ensure that 363 Wellington St. N., the location of the recent Plastimet fire be cleaned up to the satisfaction of the City of Hamilton and the Ministry of Environment and Energy within thirty days.
3. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-09 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ACTING MAYOR D. WILSON, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 July 17

1997 July 24

Meeting of Committee of the Whole/City Council
Thursday, 1997 July 24
10:00 o'clock a.m.
Room 233, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Merling,
D'Amico.

Absent: Alderman M. Caplan - City Business
Alderman W. McCulloch - City Business
Alderman C. Collins - City Business
Alderman B. Charters - Vacation
Alderman T. Jackson - Vacation
Alderman T. Anderson - City Business
Alderman D. Ross - Vacation

Mayor Morrow called the meeting to order.

It was moved by Alderman Wilson and seconded by Alderman D'Amico that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Eisenberger,
Merling, D'Amico. -9.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - TENTH REPORT

It was moved by Alderman Wilson and seconded by Alderman D'Amico that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Eisenberger,
Merling, D'Amico. -9.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 11:45 o'clock a.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 July 24
JJS/bc

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **TENTH** Report for 1997 and respectfully recommends:

1. (a) That RCM Contracting Ltd. be contracted to board up the building at 127 Burton Avenue to prevent access to the building at grade level at a cost not to exceed \$4,200.00; and,

 (b) That the City Treasurer be authorized and directed to find an appropriate funding source.
2. That the Province of Ontario be requested to conduct a full public inquiry into all aspects of the Plastimet Fire at 363 Wellington Street North and that this inquiry provide recommendations aimed at preventing a reoccurrence of this type of fire and its resulting consequences in the future and further that all local M.P.P.'s be asked to support this request.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson,
 Eisenberger, Merling, D'Amico. - 9 .

NAYS: 0.

CARRIED.

3. That three way stop control be implemented at Coral and Fieldway Crescent for a three month period.

4. That the following Bills be adopted, signed, sealed and enrolled as a By-law:
- (a) E-10 A By-law to Amend By-law 89-72 To Regulate Traffic.
 - (b) E-11 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 July 24

1997 August 7

g of Committee of the Whole/City Council

Thursday, 1997 August 7

10:00 o'clock a.m.

Room 233, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Collins, D'Amico, Ross.

Absent: Alderman D. Drury - Other Business
Alderman B. Morelli - Other Business
Alderman G. Copps - Regional Business
Alderman D. Wilson - Vacation
Alderman B. Charters - City Business
Alderman T. Jackson - Vacation
Alderman H. Merling - City Business
Alderman T. Anderson - Vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Caplan that the Report of the Committee of the Whole and the Finance and Administration Committee, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Collins, D'Amico, Ross. -9.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - ELEVENTH REPORT

- i) Bus Lane - King Street West
- ii) T. Eaton Company

Section 2(a) Re: T. Eaton Company - Free Parking

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Ross.
-7.

NAYS: Aldermen Collins, D'Amico. -2. **CARRIED.**

* * * * *

Section 2(b) Re: T. Eaton Company - Space Rental on Third Floor Eaton's Centre.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Collins,
Ross. -8.

NAYS: Alderman D'Amico. -1. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

- i) Panhandling
- ii) By-law Re: Panhandling

Section 1 Re: Panhandling By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Eisenberger, Ross. -5.

NAYS: Aldermen Kiss, Caplan, Collins, D'Amico. -4. **CARRIED.**

* * * * *

1997 August 7

It was moved by Alderman Agro and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole and the Finance and Administration Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Collins, D'Amico, Ross. -9.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 11:15 o'clock a.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 August 7
JJS/bc

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **ELEVENTH** Report for 1997 and respectfully recommends:

1. That the Chief Administrative Officer for the City of Hamilton in conjunction with the Public Works and Traffic Department and the Regional Transportation Department be authorized to adjust the current bus only lane on King Street West as required to accommodate fluctuating requirements for parking and loading.
2. That in return for agreement from the T. Eaton Company to continue to operate the Eaton's store in the Eaton's Centre in Downtown Hamilton for a minimum period of ten years, that the following initiatives be approved:
 - (a) (i) That, as a one year downtown initiative, two hours of free parking be provided to all customers using the York Boulevard Parking Garage; and
 - (ii) That the Hamilton Parking Authority be compensated for the actual loss of revenue as a result of this initiative at an annual cost not to exceed \$450,000; and
 - (iii) That the City Treasurer be requested to recommend the method of financing this expenditure.

Recorded vote on 2(a).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Ross. -7.

NAYS: Aldermen Collins, D'Amico. -2.

CARRIED.

- (b) That the City of Hamilton support the initiative of Regional Council to rent space for Regional staff on the third floor of the Eaton's Centre.

Recorded vote on 2(b).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Eisenberger, Collins, Ross. -8.

NAYS: Alderman D'Amico. -1.

CARRIED.

1997 August 7

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 August 7

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1997 and respectfully recommends:

1. (a) That a By-law be approved to amend The Streets By-law No. 86-77 respecting panhandling on sidewalks adjacent to local streets under the jurisdiction of City Council; and,
(b) That Regional Council be requested to exercise its jurisdiction over sidewalks adjacent to Regional roads by enacting a similar by-law.
2. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-45 A By-law to Amend: By-law No. 86-77, The Streets By-law respecting: Panhandling.
 - (b) D-46 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Recorded vote on the 17th Report of the Finance and Administration Committee Report.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Eisenberger, Ross. -5.

NAYS: Aldermen Kiss, Caplan, Collins, D'Amico. -4.

CARRIED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 July 31**

1997 August 12

M21
1997

g of Committee of the Whole/City Council
Tuesday, 1997 August 12
6:20 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. M. Morrow, Chairman
Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson, Eisenberger,
Jackson, D'Amico, Ross.

Absent: Alderman V. Agro - Bereavement
Alderman B. Morelli - Other Business
Alderman C. Collins - Vacation
Alderman B. Charters - Vacation
Alderman H. Merling - Family Business
Alderman T. Anderson - Vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole and the Report of the Finance and Administration Committee, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson,
Eisenberger, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - TWELFTH REPORT

- i) Treasurer's "Update on Province's 'Who Does What' Initiatives"
- ii) T. Eaton Company
- iii) Soil Samples - Simcoe Street East Property

Section 2(a) Re: T. Eaton Company - Remerchandising

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson, Eisenberger, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

* * * * *

Section 2(b) Re: T. Eaton Company/Farmer's Market - Pedestrian Walkway

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Ross. -7.

NAYS: Aldermen Wilson, Eisenberger, Jackson, D'Amico. -4.

CARRIED.

* * * * *

Section 2(c) Re: T. Eaton Company/Jackson Square - Continue Negotiations re Pedestrian Access

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson, Eisenberger, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT

Re: Bill 136

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson,
Eisenberger, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

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City Council then adjourned at 6:30 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 August 12
JJS/bc

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **TWELFTH** Report for 1997 and respectfully recommends:

1. That City Council adopt the Treasurer's "Update on the Province of Ontario 'Who Does What' Initiatives" dated 1997 August 12th as the basis for the City's negotiations with the Province.
2. (a) That City Council acknowledge Eaton's initiatives respecting the remerchandising of it's Hamilton Downtown store; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson, Eisenberger, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

- (b) That the City, as the owner of the Hamilton Farmer's Market building and MacNab Street Truck Tunnel, undertake to construct a barrier free pedestrian walkway to connect the Farmer's Market building with the second level of the Eaton's building with a view to encourage and increase pedestrian traffic flow among the Farmer's Market, Eaton's, Jackson Square and the downtown area, at an estimated cost of \$355,000, on the understanding that Eaton's will bear the expenses of the project for costs attributable to Eaton's site and its building.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Ross. -7.

NAYS: Aldermen Wilson, Eisenberger, Jackson, D'Amico. -4.

CARRIED.

- (c) That negotiations continue among Eatons, Jackson Square and the City of Hamilton to open up an entrance from the Lloyd D. Jackson Square Food Court in lieu of the bridge.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Wilson, Eisenberger, Jackson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

3. That payment be authorized in the approximate amount of \$2,500. for the analysis of soil samples taken from City owned properties in the Simcoe Street East area.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 August 12th

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1997 and respectfully recommends:

1. Whereas Bill 136 imposes a new system of dispute settlement upon public sector labour relations which violates basic democratic principles; and,

Whereas neither the Labour Relations Transition Commission nor the Disputes Resolution Commission can be considered independent or impartial, nor do they have the confidence of the workplace parties and so fail to meet the internationally recognized standard for civilized labour relations practice as set by the United Nations (ILO) to which Canada subscribes;

Therefore, be it resolved that the Council of the Corporation of the City of Hamilton is opposed to the passage of Bill 136, and urges that it be withdrawn by the Government of Ontario or defeated by the Legislature, and that the existing collective bargaining practices and procedures under existing Ontario labour relations legislation continue without political interference.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-47 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. ROSS, ACTING CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 August 12**



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